

# ANNOTATED MINUTES

Tuesday, November 12, 1996 - 9:30 AM  
Portland Building Second Floor Conference Room C  
1120 SW Fifth, Portland

## CITY/COUNTY JOINT WORK SESSION

*Chair Beverly Stein and Mayor Vera Katz convened the meeting at 9:35 a.m., with Commissioner-Elect Jim Francesconi, Commissioner Dan Saltzman, Auditor Barbara Clark, Commissioner Sharron Kelley, Commissioner Gretchen Kafoury, Commissioner Gary Hansen, Commissioner Mike Lindberg, Commissioner Tanya Collier, Commissioner Charlie Hales and Commissioner-Elect Erik Sten present.*

- WS-1      The Multnomah County Board of Commissioners and the Portland City Council Will Meet to Discuss the Impact of Measure 47. Presented by Mayor Vera Katz, Chair Beverly Stein, Multnomah County Budget and Quality Office and the City of Portland Bureau of Financial Planning.

**CHAIR STEIN AND MAYOR KATZ COMMENTS REGARDING PLANS TO ADDRESS BUDGET CUTS IN A POSITIVE WAY AND TO WORK COLLABORATIVELY WITH STATE, COUNTY AND CITIES. CHAIR STEIN ANNOUNCED THAT THE ASSOCIATION OF OREGON COUNTIES APPOINTED COMMISSIONER GARY HANSEN TO A COMMITTEE WORKING WITH GOVERNOR KITZHAUBER REGARDING THE IMPACT OF MEASURE 47. DAVE WARREN AND DAVE AGAZZI PRESENTATIONS REGARDING MEASURE 47 IMPACT; LEGAL AND LEGISLATIVE ISSUES IN RELATION TO COUNTY AND CITY BUDGETS; REVENUE FORECASTS, AND RESPONSE TO BOARD AND COUNCIL QUESTIONS AND DISCUSSION. EAST COUNTY CITIES TO BE INVITED TO SHARE IN FUTURE MEASURE 47 DISCUSSIONS. CITY STAFF TO ATTEND COUNTY WORK SESSION TO DISCUSS A POTENTIAL JOINT PUBLIC INPUT PROCESS. MAYOR KATZ DISCUSSED CITY HIRING CHILL AND PUTTING PROGRAM STARTUPS ON HOLD PENDING BUDGET REVIEW. CHAIR STEIN DISCUSSED**

**IMPORTANCE OF KEEPING SIGHT OF VISION,  
DESCRIBING THE BIG PICTURE REALISTICALLY  
AND BEING INNOVATIVE WITH SHORT AND  
LONG TERM SOLUTIONS.**

*There being no further business, the joint meeting was adjourned at  
10:07 a.m.*

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Tuesday, November 12, 1996 - 10:45 - 11:45 AM and 1:00 - 3:00 PM  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland

**COUNTY WORK SESSION**

*Chair Beverly Stein convened the meeting at 10:33 a.m., with Vice-Chair  
Dan Saltzman, Commissioners Sharron Kelley, Gary Hansen and Tanya Collier  
present.*

WS-2 The Multnomah County Board of Commissioners Will Meet to Discuss  
the Community Process, County Revenue Forecast, Immediate  
Administrative Review and Next Steps in Connection with the Impact of  
Measure 47. Presented by Chair Beverly Stein, Bill Farver, Barry Crook,  
Dave Warren and Mark Campbell.

**MARK MURRAY EXPLAINED CITY PUBLIC INPUT  
PROCESS AND RESPONDED TO BOARD  
QUESTIONS AND DISCUSSION. BOARD  
CONSENSUS THAT A TEAM CONSISTING OF  
THREE CITY AND THREE COUNTY STAFF,  
INCLUDING MARK MURRAY AND CAROL FORD,  
CONVENE TO WORK ON A MEASURE 47  
COMMUNITY INPUT PROCESS FOR THE PROCESS  
OF OBTAINING SUGGESTIONS ON LONG TERM  
SOLUTIONS, ALTERNATIVE REVENUE STREAMS,  
AND PROVIDING PUBLIC EDUCATION OF ISSUES.  
BILL FARVER DISCUSSED SCHEDULING JOINT  
COMMUNITY INPUT MEETINGS IN DECEMBER,  
JANUARY AND FEBRUARY; WORKING WITH  
DEPARTMENT MANAGERS TO IDENTIFY  
IMMEDIATE CUTS AND JULY 1 CUTS TO REPORT  
BACK TO THE BOARD IN DECEMBER; AND  
RESPONDED TO BOARD QUESTIONS.  
FOLLOWING DISCUSSION, BOARD CONSENSUS**

**TO CONTINUE FOCUS ON THE THREE COUNTY BENCHMARKS WHICH ARE TO INCREASE HIGH SCHOOL COMPLETION RATE; REDUCE CHILDREN LIVING IN POVERTY; AND REDUCE CRIME.**

*The meeting recessed at 11:03 a.m. and reconvened at 11:10 a.m.*

**IN RESPONSE TO A BOARD REQUEST, BARRY CROOK PROVIDED THE COMMISSIONERS WITH COPIES OF THE ATTORNEY GENERAL OPINION ON BALLOT MEASURE 47 AND DISCUSSED BALLOT MEASURE 30. MARK CAMPBELL BUDGET PRESENTATION. MR. CROOK, DAVE WARREN AND MR. CAMPBELL EXPLANATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION REGARDING NATIONAL, STATE AND LOCAL ECONOMIC OUTLOOK, COUNTY GENERAL FUND, AND OTHER REVENUE PROJECTIONS AND ISSUES.**

*The meeting recessed at 11:48 a.m. and reconvened at 1:08 p.m.*

**BOARD CONSENSUS THAT CHAIR STEIN AND BILL FARVER MEET WITH DEPARTMENT MANAGERS TO IDENTIFY IMMEDIATE CUTS AND JULY 1 CUTS AND REPORT BACK TO BOARD WITH RECOMMENDATIONS IN EARLY DECEMBER. (9:30 AM, TUESDAY, DECEMBER 10, 1996.) BOARD DISCUSSION, BRAINSTORMING AND CONSENSUS BUILDING REGARDING QUESTIONS TO CONSIDER IN SUGGESTING REDUCTIONS BASED ON BALLOT MEASURE 47. COMMISSIONER HANSEN DISCUSSED THE TWO COMMITTEES HE HAS BEEN APPOINTED TO IN CONNECTION WITH BALLOT MEASURE 47. COMMISSIONERS TO LOOK AT BUDGET AND SUBMIT MEMOS OUTLINING THEIR IDEAS ON PRELIMINARY CUTS. CHAIR STEIN TO COME BACK WITH PROPOSED PROCESS FOR POSSIBLE JOINT MEETING WITH CITIES, SCHOOLS AND COUNTY. CHAIR STEIN TO DEVELOP AND IMPLEMENT IMMEDIATE HIRING REVIEW PROCESS.**

*There being no further business, the meeting was adjourned at 1:42 p.m.*

Thursday, November 14, 1996 - 9:30 AM  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland

## **REGULAR MEETING**

*Chair Beverly Stein convened the meeting at 9:35 a.m., with Commissioners Sharron Kelley, Gary Hansen and Tanya Collier present, and Vice-Chair Dan Saltzman arriving at 9:40 a.m.*

### **CONSENT CALENDAR**

***AT THE REQUEST OF CHAIR STEIN AND UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, CONSENT CALENDAR ITEMS C-1 AS AMENDED, THROUGH C-5 WERE UNANIMOUSLY APPROVED.***

### **NON-DEPARTMENTAL**

- C-1 Re-Appointments of Steve Fulmer, Lee Coleman, Muriel Goldman, Kay Lowe, Sharon McCluskey, Luther Sturtevant, Cornetta Smith and Beverly Stein and Appointments of Alcena Boozer, Maureen Casterline, Ruth Ann Dodson, Paul Drews, Barbara Friesen, John Lim, Larry Norvell, Eric Parsons, Lorenzo Poe, Tom Potter, James Sanger and ~~Miltie Vega-Lloyd~~ to the MULTNOMAH COMMISSION ON CHILDREN AND FAMILIES

***AT CHAIR STEIN'S REQUEST, THE BOARD APPROVED THE REMOVAL OF MILTIE VEGA-LLOYD FROM RE-APPOINTMENT TO THE COMMISSION DUE TO EMPLOYMENT RELOCATION; AND APPROVED THE APPOINTMENT OF MARK ROSENBAUM AS CO-CHAIR OF THE COMMISSION.***

### **SHERIFF'S OFFICE**

- C-2 ORDER Acknowledging Unclaimed Property and Authorizing Transfer for Sale or Disposal

***ORDER 96-201.***

- C-3 Package Store Liquor License Renewal for ORIENT COUNTRY STORE, 29822 SE ORIENT DRIVE, GRESHAM

**DEPARTMENT OF ENVIRONMENTAL SERVICES**

- C-4 CU 9-96/HV 11-96/SEC 15-96 Report the Hearings Officer Decision Regarding an Approval, Subject to Conditions, of a Conditional Use Permit, a SEC Permit and a Minor Variance for a Template Dwelling in a Commercial Forest Use District, on Property Located at 14633 NW ROCK CREEK ROAD, PORTLAND
- C-5 CU 11-96/HV 14-96/SEC 21-96 Report the Hearings Officer Decision Regarding an Approval, Subject to Conditions, of a Conditional Use Permit, a SEC Permit and a Major Variance for a Template Dwelling in a Commercial Forest Use District, on Property Located at 1111 NW 53<sup>RD</sup> DRIVE, PORTLAND

**REGULAR AGENDA**

**PUBLIC COMMENT**

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

***ROBERT HEISEY COMMENTS IN OPPOSITION TO ESTABLISHING AN OUTPATIENT ALCOHOL AND DRUG TREATMENT CENTER AT PROPOSED CORRECTIONAL FACILITY AND RESPONSE TO CHAIR STEIN'S ASSURANCES THAT THE COUNTY HAS NO INTENTION OF ESTABLISHING AN OUTPATIENT TREATMENT CENTER AT THE CORRECTIONAL FACILITY.***

*Vice-Chair Dan Saltzman arrived at 9:40 a.m.*

***JEAN RIDINGS OF INTERLACHEN ORAL AND WRITTEN COMMENTS IN SUPPORT OF NW FRONT SITE FOR PROPOSED CORRECTIONAL FACILITY. WILLIAM CARROL COMMENTS CONCERNING JAIL SITING ADVISORY COMMITTEE MEETINGS. PAUL MILLER COMMENTS IN OPPOSITION TO ESTABLISHING OUTPATIENT ALCOHOL AND DRUG TREATMENT CENTER AT PROPOSED CORRECTIONAL FACILITY; PROPOSED SITES 4, 5 AND 6; AND LIMITED SEATING CAPACITY OF FACILITY FOR SITING ADVISORY COMMITTEE***

**MEETINGS. STELLA ROSSI COMMENTS REGARDING WILKES NEIGHBORHOOD AND COLUMBIA SLOUGH ISSUES. SHERRY DAHLEN COMMENTS CONCERNING NEIGHBORHOOD SAFETY IN RELATION TO OPERATION OF NORTH PORTLAND PAROLE AND PROBATION OFFICE.**

**NON-DEPARTMENTAL**

- R-2 Intergovernmental Agreement 500427 with the Oregon Department of Transportation, Transferring Responsibility and Funds for Managing and Completing the Historic Columbia River Highway Interpretive Sign Project

**COMMISSIONER KELLEY MOVED AND COMMISSIONER SALTZMAN SECONDED, APPROVAL OF R-2. SHARON TIMKO EXPLANATION. AGREEMENT UNANIMOUSLY APPROVED.**

**DEPARTMENT OF SUPPORT SERVICES**

- R-3 ORDER Authorizing Advance Distribution of Funds from the County General Fund to Property Taxing Districts as Allowed Under ORS 311.392

**COMMISSIONER KELLEY MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF R-3. DAVE BOYER EXPLANATION. ORDER 96-202 UNANIMOUSLY APPROVED.**

**DEPARTMENT OF COMMUNITY AND FAMILY SERVICES**

- R-4 Budget Modification CFS 8 Transferring \$50,000 from General Fund Contingency to the Office of Community Action and Development Anti-Poverty/Housing Stabilization Program Budget, to Fund Work Force Development and Services in Outer Southeast Multnomah County

**COMMISSIONER COLLIER MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF R-4. REY ESPAÑA EXPLANATION. HEIDI SODERBERG, ARLENE PALSHIKAR AND ANNETTE JOHNSTON TESTIMONY IN SUPPORT. COMMISSIONER COLLIER COMMENTS IN**

**SUPPORT. MR. ESPAÑA RESPONSE TO BOARD QUESTIONS. CHAIR STEIN TO SCHEDULE BOARD BRIEFING ON WORK FORCE DEVELOPMENT. (11:00 AM TUESDAY, DECEMBER 17, 1996.) BUDGET MODIFICATION UNANIMOUSLY APPROVED.**

*The meeting recessed at 10:20 a.m. and reconvened at 10:24 a.m.*

**SHERIFF'S OFFICE**

- R-5 Presentation and Briefing by the Multnomah County Senate Bill 1145 Working Group on its Progress-to-Date in the Following Areas: 1) Siting and Facility Design; 2) Offender Management; 3) Program Development; and 4) Budget and Finance; and Budget Staff Explanation on Request to Amend MCSO and DCC Budgets to Appropriate SB 1145 Funding to Implement the Offender Management Plan. Presented by Sheriff Dan Noelle, Tamara Holden, Dan Oldham, Bill Wood, Cary Harkaway, Dave Boyer and Dave Warren

**TAMARA HOLDEN, SHERIFF DAN NOELLE, DAVE WARREN AND BILL WOOD PRESENTATIONS AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION. BOARD CONSENSUS TO HAVE SHERIFF ASK SITING ADVISORY COMMITTEE TO RECONSIDER MOVING MEETINGS TO LARGER FACILITY. DISCUSSION ON NEW FACILITY SECURITY AND PROPOSED MEASURES FOR NEIGHBORHOOD SAFETY. BOARD CONSENSUS TO PLACE A RESTRICTION ON CONDITIONAL USE PERMIT WHICH WOULD PROHIBIT OUTPATIENT ALCOHOL AND DRUG TREATMENT CENTER AT THE FACILITY. IN RESPONSE TO BOARD QUESTIONS AND DISCUSSION, SHERIFF NOELLE AND MR. WARREN EXPLAINED THAT MULTNOMAH COUNTY WILL RECEIVE \$3,167,000 FROM THE STATE AND THAT THE COUNTY'S SHARE OF STATE 1145 FUNDING IS LESS THAN THE COUNTY'S ESTIMATED \$3.8 TO \$4.6 MILLION OPERATIONAL COSTS. FOLLOWING DISCUSSION, BOARD CONSENSUS THAT SHERIFF NOELLE AND MS. HOLDEN CONTINUE WORKING WITH MULTNOMAH COUNTY JUDGES FOR ESTABLISHMENT OF STATE JUDICIARY SENTENCING GUIDELINES ON 1145 OFFENDERS;**

**SHERIFF NOELLE CONTINUE WORKING WITH WATERSHED GROUP REGARDING COLUMBIA SLOUGH ISSUE; AND THAT COUNTY COUNSEL SANDRA DUFFY BRIEF BOARD MEMBERS ON CITY OF PORTLAND LAND USE PROCESS. MR. WARREN, SHERIFF NOELLE AND MS. HOLDEN EXPLANATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION REGARDING BUDGET MODIFICATIONS.**

- R-6 Budget Modification MCSO 1 Adding \$172,886 to the Sheriff's Budget to Pay for Staff and Materials Necessary to Manage the Movement of SB 1145 Offenders through the System

**UPON MOTION OF COMMISSIONER SALTZMAN, SECONDED BY COMMISSIONER KELLEY, R-6 WAS UNANIMOUSLY APPROVED.**

- R-7 Budget Modification MCSO 2 Adding \$74,571 to the Sheriff's Budget for Staff and Supplies Necessary to Enter and Maintain SB 1145 Offenders on the Jail's Computer System

**UPON MOTION OF COMMISSIONER SALTZMAN, SECONDED BY COMMISSIONER COLLIER, R-7 WAS UNANIMOUSLY APPROVED.**

**DEPARTMENT OF COMMUNITY CORRECTIONS**

- R-8 Budget Modification DCC 4 Creating a Budget for the SB 1145 Offender Management Team (DCC Staff)

**UPON MOTION OF COMMISSIONER SALTZMAN, SECONDED BY COMMISSIONER KELLEY, R-8 WAS UNANIMOUSLY APPROVED.**

*There being no further business, the meeting was adjourned at 11:43 a.m.*

**OFFICE OF THE BOARD CLERK  
FOR MULTNOMAH COUNTY, OREGON**

***Deborah L. Bogstad***

*Deborah L. Bogstad*



# MULTNOMAH COUNTY OREGON

OFFICE OF THE BOARD CLERK  
SUITE 1510, PORTLAND BUILDING  
1120 SW FIFTH AVENUE  
PORTLAND, OREGON 97204  
CLERK'S OFFICE • 248-3277 • 248-5222  
FAX • (503) 248-5262

BOARD OF COUNTY COMMISSIONERS  
BEVERLY STEIN • CHAIR • 248-3308  
DAN SALTZMAN • DISTRICT 1 • 248-5220  
GARY HANSEN • DISTRICT 2 • 248-5219  
TANYA COLLIER • DISTRICT 3 • 248-5217  
SHARRON KELLEY • DISTRICT 4 • 248-5213

# AGENDA

## MEETINGS OF THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS

FOR THE WEEK OF

**NOVEMBER 11, 1996 - NOVEMBER 15, 1996**

*Monday, November 11, 1996 - HOLIDAY - OFFICES CLOSED*

*Tuesday, November 12, 1996 - 9:00 AM - Work Session ..... Page 2*

*Thursday, November 14, 1996 - 9:30 AM - Regular Meeting ..... Page 2*

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

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

*Friday, 10:00 PM, Channel 30*

*Sunday, 1:00 PM, Channel 30*

*\*Produced through Multnomah Community Television\**

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

AN EQUAL OPPORTUNITY EMPLOYER

Tuesday, November 12, 1996 - 9:00 AM  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland

**WORK SESSION**

WS-1      *The Multnomah County Board of Commissioners and Invited Guests Will Meet to Review Strategic Planning Work on Long Term Benchmarks, Financial Issues, and Issues Relating to the Impact of Measure 47, if it Passes. Facilitated by Carol M. Ford. 3 to 5 HOURS REQUESTED.*

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Thursday, November 14, 1996 - 9:30 AM  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland

**REGULAR MEETING**

**CONSENT CALENDAR**

**NON-DEPARTMENTAL**

C-1      *Re-Appointments of Steve Fulmer, Lee Coleman, Muriel Goldman, Kay Lowe, Sharon McCluskey, Luther Sturtevant, Cornetta Smith and Beverly Stein and Appointments of Alcena Boozer, Maureen Casterline, Ruth Ann Dodson, Paul Drews, Barbara Friesen, John Lim, Larry Norvell, Eric Parsons, Lorenzo Poe, Tom Potter, James Sanger and Miltie Vega-Lloyd to the MULTNOMAH COMMISSION ON CHILDREN AND FAMILIES*

**SHERIFF'S OFFICE**

C-2      *ORDER Acknowledging Unclaimed Property and Authorizing Transfer for Sale or Disposal*

C-3      *Package Store Liquor License Renewal for ORIENT COUNTRY STORE, 29822 SE ORIENT DRIVE, GRESHAM*

**DEPARTMENT OF ENVIRONMENTAL SERVICES**

C-4      *CU 9-96/HV 11-96/SEC 15-96 Report the Hearings Officer Decision Regarding an Approval, Subject to Conditions, of a Conditional Use Permit, a SEC Permit and a Minor Variance for a Template Dwelling in*

a Commercial Forest Use District, on Property Located at 14633 NW  
ROCK CREEK ROAD, PORTLAND

- C-5 CU 11-96/HV 14-96/SEC 21-96 Report the Hearings Officer Decision Regarding an Approval, Subject to Conditions, of a Conditional Use Permit, a SEC Permit and a Major Variance for a Template Dwelling in a Commercial Forest Use District, on Property Located at 1111 NW 53<sup>RD</sup> DRIVE, PORTLAND

### **REGULAR AGENDA**

### **PUBLIC COMMENT**

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

### **NON-DEPARTMENTAL**

- R-2 Intergovernmental Agreement 500427 with the Oregon Department of Transportation, Transferring Responsibility and Funds for Managing and Completing the Historic Columbia River Highway Interpretive Sign Project

### **DEPARTMENT OF SUPPORT SERVICES**

- R-3 ORDER Authorizing Advance Distribution of Funds from the County General Fund to Property Taxing Districts as Allowed Under ORS 311.392

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

- R-4 Budget Modification CFS 8 Transferring \$50,000 from General Fund Contingency to the Office of Community Action and Development Anti-Poverty/Housing Stabilization Program Budget, to Fund Work Force Development and Services in Outer Southeast Multnomah County

### **SHERIFF'S OFFICE**

- R-5 Presentation and Briefing by the Multnomah County Senate Bill 1145 Working Group on its Progress-to-Date in the Following Areas: 1) Siting and Facility Design; 2) Offender Management; 3) Program Development; and 4) Budget and Finance; and Budget Staff Explanation on Request to Amend MCSO and DCC Budgets to

*Appropriate SB 1145 Funding to Implement the Offender Management Plan. Presented by Sheriff Dan Noelle, Tamara Holden, Dan Oldham, Bill Wood, Cary Harkaway, Dave Boyer and Dave Warren. 1 HOUR REQUESTED.*

- R-6      *Budget Modification MCSO 1 Adding \$172,886 to the Sheriff's Budget to Pay for Staff and Materials Necessary to Manage the Movement of SB 1145 Offenders through the System*
- R-7      *Budget Modification MCSO 2 Adding \$74,571 to the Sheriff's Budget for Staff and Supplies Necessary to Enter and Maintain SB 1145 Offenders on the Jail's Computer System*

**DEPARTMENT OF COMMUNITY CORRECTIONS**

- R-8      *Budget Modification DCC 4 Creating a Budget for the SB 1145 Offender Management Team (DCC Staff)*



# MULTNOMAH COUNTY OREGON

OFFICE OF THE BOARD CLERK  
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PORTLAND, OREGON 97204  
CLERK'S OFFICE • 248-3277 • 248-5222  
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## BOARD OF COUNTY COMMISSIONERS

BEVERLY STEIN •	CHAIR	•248-3308
DAN SALTZMAN •	DISTRICT 1	• 248-5220
GARY HANSEN •	DISTRICT 2	•248-5219
TANYA COLLIER •	DISTRICT 3	•248-5217
SHARRON KELLEY •	DISTRICT 4	•248-5213

## MULTNOMAH COUNTY BOARD OF COMMISSIONERS

### REVISED AGENDA

*Tuesday, November 12, 1996 - 9:30 - 10:30 AM  
Portland Building Second Floor Conference Room C  
1120 SW Fifth, Portland*

#### CITY/COUNTY JOINT WORK SESSION

*WS-1 The Multnomah County Board of Commissioners and the Portland City Council Will Meet to Discuss the Impact of Measure 47. Presented by Mayor Vera Katz, Chair Beverly Stein, Multnomah County Budget and Quality Office and the City of Portland Bureau of Financial Planning.*

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*Tuesday, November 12, 1996 - 10:45 - 11:45 AM and 1:00 - 3:00 PM  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland*

#### COUNTY WORK SESSION

*WS-2 The Multnomah County Board of Commissioners Will Meet to Discuss the Community Process, County Revenue Forecast, Immediate Administrative Review and Next Steps in Connection with the Impact of Measure 47. Presented by Chair Beverly Stein, Bill Farver, Barry Crook, Dave Warren and Mark Campbell.*

**JOINT WORKSESSION**  
**MULTNOMAH BOARD OF COUNTY COMMISSIONERS**  
**&**  
**PORTLAND CITY COUNCIL**

**NOVEMBER 12, 1996**  
**9:30 - 10:30**  
**Portland Building - 2<sup>nd</sup> Floor**  
**Meeting Room C**

<b>Start</b>	<b>Length</b>		
9:30	10 mins	<b>Opening Remarks</b> Mayor Vera Katz County Chair Beverly Stein	
9:40	20 mins  20 mins	<b>What We Know About the Impact of Measure 47</b>  Multnomah County  City of Portland	Multnomah County Budget and Quality Office  City of Portland Bureau of Financial Planning
10:20	10 mins	<b>Closing Remarks.</b>	Mayor Katz Chair Stein
10:30		<b>ADJOURN Joint Meeting.</b>  Portland City Council to continue meeting in Room C.  Multnomah Board of County Commissioners to move to County Courthouse Boardroom.	

**MULTNOMAH BOARD OF COUNTY COMMISSIONERS**

**November 12, 1996**

**10:45 - 3:00**

**County Courthouse Boardroom  
Room 602**

**BOARD OF COUNTY COMMISSIONERS ONLY**

10:45		<b>Board Of County Commissioners - Reconvene in Boardroom</b>	
10:45	60 mins	<b>Discussion of Community Process (December, January &amp; February)</b> Possible involvement of other jurisdictions. Link to county budget process. Potential budget processes and criteria.	Bill Farver Barry Crook Dave Warren
11:45		<b>LUNCH BREAK</b>	
1:00	30 mins	<b>County Revenue Forecast</b>	Barry Crook Dave Warren Mark Campbell
1:30	60 min	<b>Immediate Administrative Review</b> Hiring Review. Spending and service reductions review. Resolution development for December including statement of actions taken and legislative positions.	Bill Farver
2:30	30 mins	<b>Next Steps.</b>	Beverly Stein
3:00		<b>Board of County Commissioners ADJOURN</b>	

MEETING DATE: NOV 14 1996  
AGENDA NO. C-1

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Appointment of new Commissioners and re-appointment of current Commissioners

BOARD BRIEFING Date Requested: \_\_\_\_\_  
Amount of Time Needed: \_\_\_\_\_

REGULAR MEETING: Date Requested: November 14, 1996  
Amount of Time Needed: 5 minutes

DEPARTMENT: Multnomah Commission on Children and Families DIVISION: MCCF

Contact: Carol Wire, Director TELEPHONE #: 248-3899  
BLDG/ROOM#: 166/400

PERSON(S) MAKING PRESENTATION: Carol Wire, Director

ACTION REQUESTED:

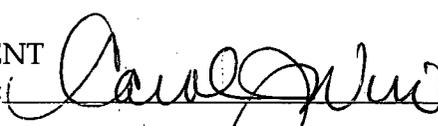
INFORMATIONAL ONLY  POLICY DIRECTION  APPROVAL  OTHER

SUMMARY (Statement of rationale for action requested, personnel and fiscal/budgetary impacts, if applicable):

Eight Multnomah Commission on Children and Families members' terms expire on December 31, 1996. This action requests re-appointment of those eight Commissioners to the Multnomah Commission on Children and Families for an additional four years. At present, fourteen positions are vacant. This action requests appointment of twelve members to fill those vacancies.

(Please see attached sheet for list of names)

SIGNATURES REQUIRED:

ELECTED OFFICIAL: \_\_\_\_\_  
OR  
DEPARTMENT MANAGER: 

BOARD OF  
COUNTY COMMISSIONERS  
96 NOV - 5 PM 2:55  
MULTNOMAH COUNTY  
OREGON

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

Current Multnomah Commission on Children and Families Commissioners to be reappointed

Steve Fulmer  
Lee Coleman  
Muriel Goldman  
Kay Lowe  
Sharon McCluskey  
Luther Sturtevant  
Cornetta Smith  
Beverly Stein

New members for appointment to Multnomah Commission on Children and Families

Alcena Boozer  
Maureen Casterline  
Ruth Ann Dodson  
Paul Drews  
Barbara Friesen  
Senator John Lim  
Larry Norvell  
Eric Parsons  
Lorenzo Poe  
Tom Potter  
James Sanger  
Miltie Vega-Lloyd

The Commission as proposed above will consist of 28 members, 19 of whom are lay members.

MEETING DATE: NOV 14 1996  
AGENDA #: C-2  
ESTIMATED START TIME: 9:30

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Found/Unclaimed Property - 96-5

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

REGULAR MEETING: DATE REQUESTED: November 14, 1996  
AMOUNT OF TIME NEEDED: \_\_\_\_\_

DEPARTMENT: Sheriff's Office DIVISION: \_\_\_\_\_

CONTACT: Jackie Jamieson TELEPHONE #: 251-2545  
BLDG/ROOM #: 313/

PERSON(S) MAKING PRESENTATION: consent item

ACTION REQUESTED:

INFORMATIONAL ONLY  POLICY DIRECTION  APPROVAL  OTHER

SUGGESTED AGENDA TITLE:

Transfer of found/unclaimed property as listed to the Department of Environmental Services as outlined in the Multnomah County Code 7.70.

*11/14/96 copies to Jacqueline Jamieson*

SIGNATURES REQUIRED:

ELECTED OFFICIAL: \_\_\_\_\_  
(OR)  
DEPARTMENT MANAGER: Jacqueline L. Jamieson

BOARD OF  
COUNTY COMMISSIONERS  
96 NOV - 5 PM 3:00  
MULTNOMAH COUNTY  
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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



# Multnomah County Sheriff's Office

12240 N.E. GLISAN ST., PORTLAND, OREGON 97230

DAN NOELLE  
SHERIFF

(503) 255-3600  
TTY (503) 251-2484

## MEMORANDUM

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TO: DEBORAH BOGSTAD  
Clerk of the Board

FROM: DAN NOELLE   
Sheriff

DATE: October 29, 1996

SUBJECT: FOUND/UNCLAIMED PROPERTY - LIST 96-5

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Attached is a listing of found/unclaimed or unidentified property. This property has been in the Sheriff's possession for over 30 days. All attempts to establish the rightful owner(s) of the listed property have proven negative.

To comply with Multnomah County Code 7.70, I am requesting that this listing of property be placed on the Board of County Commissioners' agenda for approval of the transfer of these items to the Department of Environmental Services for sale or disposal as provided for within the listed ordinance.

Attachment

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

Acknowledgment of Unclaimed )  
Property and Authorization of ) ORDER  
Transfer for Sale or Disposal ) 96- 201

WHEREAS, the Multnomah County Sheriff's Office has certain property, including money, in its possession, the ownership of which is unknown and which has been unclaimed for thirty days after the property came into its possession; and

WHEREAS, Multnomah County Code Chapter 7.70.100 directs the Sheriff's Office to report the unclaimed property to the Board of Commissioners and to request authorization to dispose of it as provided in the Code; and

WHEREAS, in lieu of a sale of the property under Multnomah County Code Chapter 7.70.150 to 7.70.300, the Multnomah County Sheriff's Office, with the approval of the Board of Commissioners, may transfer any portion of the unclaimed property to the County for use by the County; now therefore

IT IS HEREBY ORDERED that the Multnomah County Board of Commissioners acknowledges the unclaimed property and authorizes the transfer of the items listed on the attached **Multnomah County Sheriff's Office Found/Unclaimed Property For Disposal, List 96-5**, to the Department of Environmental Services for sale or disposal as provided in Multnomah County Code.

DATED this 14th day of November, 1996

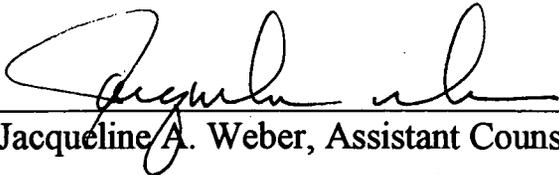


BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

  
Beverly Stein, Chair

REVIEWED:

LAURENCE KRESSEL, COUNTY COUNSEL  
MULTNOMAH COUNTY, OREGON

  
Jacqueline A. Weber, Assistant Counsel

MULTNOMAH COUNTY  
SHERIFF'S OFFICE  
FOUND/UNCLAIMED PROPERTY FOR DISPOSAL  
LIST - 96-5

FILE NUMBER	PROPERTY DESCRIPTION	DISPOSITION
92-8352	Giant 10-speed bicycle\men's\black	Sale
93-5446	Klein Attitude bicycle\green-white-pink	Sale
93-7482	Shinwon 10-speed bicycle\#D19807	Sale
94-3052	Schwinn 18-speed bicycle\PO30566	Sale
94-3276	Diamond Back Mountain bike\#I243892/Blue	Sale
94-3344	Herculite 15-speed bicycle\#44X1442	Sale
94-3344	Huffy bicycle\#90572HUFFY34530	Sale
95-2416	Grey 20" Mountain bike\#2NO10905RTS-2	Sale
96-530	Columbia bicycle\#50900223	Sale
96-1426	GT Mountain bike\black\#H2K002289	Sale
96-2160	Pink\Blue bicycle\#110393	Sale
96-2388	Murry 10-speed bicycle\blue	Sale
96-2388	Roadmaster BMX bicycle\red-black	Sale
96-2562	Peugeot Glacier Point bicycle\MT891201361	Sale
96-2994	Columbia 10-speed bicycle	Sale
96-3151	SportsCraft bicycle\silver\#6621102	Sale
96-3700	Metro 26" bicycle\12-speed\black	Sale
96-4357	FreeSport bicycle\green\#489474131	Sale
96-4463	Murray 20" bicycle\Spectra\red	Sale
96-5491	Giant Girl bicycle\purple\#GW4V0169	Sale

MEETING DATE: NOV 14 1996

AGENDA #: C-3

ESTIMATED START TIME: 9:30

(Above space for Board Clerk's Use Only)

### AGENDA PLACEMENT FORM

SUBJECT: OLCC License Renewal

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

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

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

REGULAR MEETING: DATE REQUESTED: \_\_\_\_\_

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

DEPARTMENT: Sheriff's Office DIVISION: \_\_\_\_\_

CONTACT: Sergeant Bart Whalen TELEPHONE: 251-2431

BLDG/ROOM #: 313/124

PERSON(S) MAKING PRESENTATION: Sergeant Bart Whalen

#### ACTION REQUESTED:

INFORMATIONAL ONLY     POLICY DIRECTION     APPROVAL     OTHER

#### SUGGESTED AGENDA TITLE:

This is an OLCC Package Store License Renewal Application for:

Orient Country Store  
29822 SE Orient Drive  
Gresham, OR 97080

BOARD OF  
COUNTY COMMISSIONERS  
MULTNOMAH COUNTY  
OREGON  
96 NOV - 4 PM 3:44

The background has been checked on applicant Monica Y. Lim and no criminal history can be found on the above.

*11/14/96 ORIGINAL to Sgt. Bart Whalen*

#### SIGNATURES REQUIRED:

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

(OR) DEPARTMENT MANAGER: Barton Whalen

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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







MULTNOMAH COUNTY

BOARD HEARING OF NOVEMBER 14 , 1996

TIME : 9:30 am

CASE NAME Doni L. Roach

NUMBER

CU 9-96, SEC 15-96, HV 11-96

1. Applicant Name/Address

Doni L. Roach  
3810 SE Madsen Court  
Hillsboro, OR 97123

2. Action Requested by Applicant

Approval of a Conditional Use, Significant Environmental Concern, and Minor Variance permit to establish a single family dwelling in a Commercial Forest Use district.

3. Planning Staff Recommendation

Approval, subject to conditions, of a Conditional Use, SEC, and Minor Variance (HV) Permit to establish a single family residence.

4. Hearings Officer Decision

Approval, subject to conditions, of a Conditional Use, SEC, and Minor Variance (HV) Permit to establish a single family residence.

5. If recommendation and decision are different, why?

The Hearings Officer decision paralleled the Staff Report and recommendation.

ISSUES

(who raised them?)

6. The following issues were raised

- No issues were raised and no person(s) opposed the application.

7. Do any of these issues have policy implications? Explain.

Not applicable as no issues were raised.

<b>Action Requested of Board</b>	
<input checked="" type="checkbox"/>	Affirm Hearings Officer Dec.
<input type="checkbox"/>	Hearing/Rehearing
Scope of Review	
<input type="checkbox"/>	On the record
<input type="checkbox"/>	De Novo

---

## HEARINGS OFFICER DECISION

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**October 30, 1996**

This Decision Consists of Findings of Fact and Conclusions

**CU 9-96** Conditional Use Permit for a "Template Dwelling"  
**HV 11-96** Major variance to the yard (setback) requirements  
**SEC 15-96** Significant Environmental Concern Permit

The applicant has requested a Conditional Use Permit for a "template Dwelling", a Minor Variance from the Code's requirement of a 200 foot setback from side lot lines for a 150 foot setback from the west side lot line, and a Significant Environmental Concern Permit for this tract which is in the Commercial Forest District.

<b>Site Address</b>	14633 NW Rock Creek Rd
<b>Tax Roll Description</b>	Tax Lot 52 in Section 26, T2N R2W, W.M., Multnomah County, Oregon
<b>Site Size</b>	4.63 acres
<b>Property Owner and Applicant</b>	Doni L. Roach 3810 SE Madsen Court Hillsboro, OR 97123
<b>Comprehensive Plan Designation</b>	Commercial Forest
<b>Zoning Designation</b>	Commercial Forest (CFU) SEC-h (wildlife habitat)

96 OCT 31 AM 9:27

## I. SUMMARY OF THE REQUEST

The applicant requests a Conditional Use Permit for a "template Dwelling", a Minor Variance from the Code's requirement of a 200 foot setback from side lot lines for a 150 foot setback from the west side lot line, and a Significant Environmental Concern Permit for this tract which is in the Commercial Forest District and has an Significant Environmental Concern (Wildlife habitat) overlay zone.

The lot consists of 4.63 acres. The lot generally slopes gently up from Rock Creek Road to the north, contains slopes up to 20 percent in areas. There is a small man-made pond on the northeast portion of the lot fed by a natural spring in the area above the pond. The lot was previously logged and only a scattering of conifers remain. The site is vegetated with thick brush and numerous small and large deciduous trees. There is a cleared area near the center of the lot. There is a grove of Cedar trees also located near the center of the lot. The vicinity has characteristics similar to the subject property.

## II. PUBLIC HEARING

### A. Hearing

Hearings Officer Deniece Won held a duly noticed public hearing regarding the application on October 16, 1996.

### B. Summary of Testimony and Evidence Presented

1. Phil Bourquin, County Planner, summarized the staff report and recommended conditions of approval. Phil said that the applicant originally requested access from the west side of the property at Rock Creek Road. The original access site is very steep and there are Code provisions to minimize the length of driveways. The applicant revised the proposed access. She now proposes to use an existing driveway, which will shorten the driveway. He showed a map (Exhibit E1), the preliminary road profile, of the access now proposed. Phil said he drove up the existing access very easily to the site.

Phil said that the applicant originally requested a variance request that was greater than 25 percent of the setback requirements. The staff had some concerns with the major variance request. The applicant chose to revise her application and request a 150 foot sideyard, which is 25% of the requirements and qualifies as a minor variance. Phil said the nearest dwelling is on the property to the west, the direction they are requesting a variance from. The area where they propose to locate the dwelling is relatively flat. The overall site includes some steep slopes, is hilly, and there are a lot of trees on the lot. The area for the proposed dwelling is an existing cleared area, toward the center of the property.

2. Don Jones, representing Doni Roach the applicant testified that the applicant accepts the staff report and recommended conditions of approval. He said that the length of the access is approximately 350 feet. The distance from the road to the house is approximately 200 feet.

### III. STANDARDS AND CRITERIA, FINDINGS OF FACT AND EVALUATION OF REQUEST

#### A. Conditional Use Permit Request for Template Dwelling

1. A "template Dwelling" may be approved as a conditional use permit in a Commercial Forest zone when it is found to satisfy the standards of the Multnomah County Code. MCC 11.15.2050(B). The standards are in subsections .2052 and .2074. Under 11.15.2052 a template dwelling may be sited on a tract, subject to the following:

- (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 15, 1990;**

Findings. The lot was created in 1976 and was portioned out of tax lot 41. This deed was recorded on October 17, 1976, Book 1132, page 387. The zoning of the property on October 17, 1976 was F-2 (Agriculture) with a minimum lot size of 2 acres. There are no adjacent parcels in contiguous ownership with the subject parcel. The subject property (Tax Lot 52) is a lawfully created lot of record. The owner does not own any adjacent property.

- (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;**

Findings. The subject property contains 4.63 acres, generally sufficient to accommodate a dwelling. When applying the 200 foot setback requirement from the back and sides and the 60 foot requirement from the county road, a triangular envelope is identified. This envelope is the area where development would meet the setback standards of this section and MCC .2074. Nearest the road this envelope could accommodate a structure with a 100 foot dimension along the front lot line. The property owner proposes a single floor structure approximately 120 feet in length. Because of steep slope of the property immediately north of Rock Creek Road and because the proposed dwelling is approximately 120 feet in length, it would be difficult to locate the dwelling within the setback requirement. The applicant is requesting a minor variance pursuant to MCC .8505 through .8525 to place the dwelling a minimum of 150 feet from the east property line.

**(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.**

Findings. The tract is composed of Cascade silt loam (7C & 7D) which are capable of producing between 140 and 164 cf/ac/yr of Douglas Fir timber based on the Soil Survey of Multnomah County, Oregon, Soil Conservation District, USDA, August 1983.

According to Planning Department records and maps, at least all or part of 12 other lawfully created lots existed on January 1, 1993 within a 160-acre square. These lots are identified as follows: 1) Tax Lots 4, 60 and 44; 2) Tax Lot 33; 3) Tax Lot 3; 4) Tax Lot 22; 5) Tax Lot 28; 6) Tax Lot 24; 7) Tax Lot 53; 8) Tax Lots 54 and 41; 9) Tax Lot 9; 10) Tax Lot 56; 11) Tax Lot 18; and 12) Tax Lots 30, 37 and 6.

The Multnomah County Public Assessment and Taxation records show that there are 5 dwellings that existed on January 1, 1993 within the 160 acre square. The dwellings are: Tax Lot 54 built in 1979; Tax Lot 44 built in 1981; Tax Lot 37 built in 1992; Tax Lot 39 built in 1963; Tax Lot 18 built in 1967.

The subject parcel meets the template requirement of this section.

- (d) Lots and dwellings within urban growth boundaries shall not be counted to satisfy (a) through (c) above.**

Finding. No dwellings or lots within an urban growth boundary were utilized in verifying the number of dwellings and lots which existed on January 1, 1993.

- (e) There is no other dwelling on the tract;**

Finding. Based on the Multnomah County Public Assessment and Taxation records and a staff visit to the site, no dwellings currently exist on the property.

- (f) No other dwellings are allowed on other lots (or parcels) that make up the tract;**

Finding. The tract includes only tax lot 52 and no dwellings exist currently on the tract. There are no other lots or parcels in this tract. Therefore, the criterion is satisfied.

- (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**

Findings. Under this provision, only one dwelling is allowed on the tract. If the proposed application is approved and the dwelling constructed, no other dwelling would be allowed except for the purposes of replacement.

- (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. Under this section, if a dwelling is approved on this parcel, the parcel could not be used to qualify another tract for the siting of a dwelling.

- (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. The applicant has submitted the Multnomah County Wildlife Habitat map which identifies big game winter habitat areas. The subject parcel is located within a section that is not identified as a big game winter habitat area. Therefore, this criterion has been met.

- (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, and 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 applicant is proposing to establish a driveway from an existing County Road (Rock Creek Road), therefore the criterion is not applicable to this application.

- (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 will verify that the minimum stocking requirements have been met by the time required by Department of Forestry rules. The assessor will 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 will 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 will notify the owner and the assessor that the land is not being managed as forest land. The assessor will then remove the forest land designation pursuant to ORS 321.359 and impose the additional tax pursuant to ORS 321.372.

Finding. A condition of approval requires that a stocking survey be submitted, before a building permit is issued, showing compliance with MCC 11.15.2052(A)(6).

- (7) The dwelling meets the applicable development standards of MCC .2074;

Finding. The proposed dwelling meets development standards except for the setback standards for which a variance has been requested.

- (8) A statement has been recorded with the Division of Records that the owner and 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 framing practices;

Finding. The applicant has complied with criterion (8) by recording Exhibit VIII (Conditions and Restrictions form) on April 19, 1996.

- (9) Evidence is provided, prior to issuance of a building permit, that the covenants, conditions and restrictions form adopted as "Exhibit A" to the Oregon Administrative Rules (OAR), Chapter 660, Division 6 (December, 1995), or a similar form approved by the Planning Director, has been recorded with the County Division of Records;

Finding. Since this tract is made up of one parcel, zoning would preclude future partitions and development. This criterion is not applicable.

2. **Dimensional Requirements** are set out in MCC 11.15.2058.

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

Finding. The subject property is a legal nonconforming parcel to the minimum lot size of 80 acres.

- (C) **Minimum Yard Dimensions** - structures are required to be setback 60 feet from the centerline of the front lot line along the frontage of a county maintained road and 200 from side and rear lot lines. The minimum height of the structure is 35 feet and the minimum front lot line length is 50 feet. The Code requires variances from these standards to be approved under the Code's variance criteria.

Findings. The subject property has frontage along a County maintained road, Rock Creek Road. The proposed development meets the front setback, the rear and east setback requirements. The applicant proposes that the west setback be 150 feet. A variance has been requested for the west sideyard setback.

- (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. The closest dwelling is over 100 feet away. This criterion does not apply.

- (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 subject site abuts Rock Creek Road, a County owned and maintained road with a 60 foot right-of-way. No additional deed dedication or restrictions are required along Rock Creek Road. However, the applicant will be required to receive a driveway approach permit before a building permit is issued which will require inspection and approval from the Multnomah County Right-of-Way Division.

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

Finding. No accessory structures have been requested. This criterion does not apply.

**3. Access Requirements. MCC 11.15.2068**

**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.**

Findings. The subject site abuts a county owned and maintained road, NW Rock Creek Road. The applicant proposes the road for access. This criterion is met.

**4. Development Standards for Dwellings and Structures. MCC 11.15.2074.**

**Except as provided for the alteration, replacement or restoration of dwellings under MCC .2048(D), .2048(E) and .2049(B), all dwellings and structures located in the CFU district after January 7, 1993 shall comply with the following:**

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

- (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);**

Findings. Existing forestry and agricultural practices in the surrounding area are minimal primarily because the lots are small and therefore hinder economically feasible forestry and agricultural practices in the area. Because of the limited forestry and agricultural practices, it is expected that this additional dwelling in the area will not impede accepted forestry or agricultural practices on surrounding forest or agricultural lands.

The applicant has located the proposed dwelling in the central portion of the lot, a maximum distance from any surrounding farm and forest operations. The variance requested would shift the dwelling to approximately 150 feet from the west boundary. The proposed dwelling will be located downhill from the north, east and west property lines. The property to the west is in residential use. The proposed location would minimize impacts to adjacent forest or agricultural lands.

The drawing displayed at the hearing (Exhibit E1) shows the proposed location of the dwelling, location of the unimproved existing road through the property to the proposed dwelling site and the general topography of the area. The location of the proposed dwelling should not affect any activities in the surrounding areas because the lot size satisfies the setback requirements with a variance of MCC 11.15.2058.

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

Findings. There are currently no forest operations or accepted farming practices on the subject parcel. Additionally, the stocking requirement under MCC .2052(A)(6) may result in the parcel being used for forest operations.

- (3) **The amount of forest land used to site the dwelling or other structure, access road, and service corridor is minimized;**
- (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**

Findings. The area to be used by the access road, parking and the area of the buildings is estimated at 20,000 square feet, approximately 10 percent of the lot. The access road is approximately 350 feet in length. These criteria are met.

- (5) **The risks associated with wildfire are minimized. Provisions of reducing such risk shall include:**
  - (a) **The proposed dwelling will be located upon a tract within a fire protection district or the dwelling shall be provided with residential fire protection by contract;**

Finding. The proposed dwelling will be located within the Tualatin Valley Fire and Rescue District. The District can provide adequate services for the proposed dwelling as indicated by a review by the Fire District.

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

Finding. There is a pond on the lot fed by a perennial spring. A condition of approval requires compliance with this criterion.

- (c) **Maintenance of a primary and a secondary fire safety zone on the subject tract.**
  - (i) **A primary fire safety zone is a fire break extending a minimum of 30 feet in all directions around a dwelling or structure. Trees within this safety zone shall be spaced with greater than 15 feet between the crowns. The trees shall also be pruned to remove low branches within 8 feet of the ground as the maturity of the tree**

and accepted silviculture practices may allow. All other vegetation should be kept less than 2 feet in height.

- (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 25	75
Less than 40	100

- (iii) A secondary fire safety zone is a fire break extending a minimum of 100 feet in all directions around the primary safety zone. The goal of this safety zone is to reduce fuels so that the overall intensity of any wildfire is lessened. Vegetation should be pruned and spaced so that fire will not spread between crowns of trees. Small trees and brush growing underneath larger trees should be removed to prevent the spread of fire up into the crowns of the larger trees. Assistance with planning forestry practices which meet these objectives may be obtained from the State of Oregon Department of Forestry or the local Rural Fire Protection District.
- (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 Practice 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).

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

Findings. The applicant intends to remove all brush and some of the smaller deciduous trees in an area around the dwelling and garage structure to comply with the requirements of this section as well as to landscape the area with more suitable plantings to compliment the existing surrounding trees and vegetation on the property.

The site contains slopes up to 20 percent. For lands with slopes between 10 and 20 percent an additional 50 feet is required for the primary fire safety zone, a total of 70

feet. With this larger primary fire safety zone, the total primary and secondary fire safety zone required is 170 feet. With approval of the requested variance the west side yard will be 150 feet, 20 feet short of meeting the secondary fire safety zone requirement. Subsection (v) of the section states that the secondary fire safety zone is required only to the extent possible within the area of an approved yard. With approval of the variance, this criterion is met.

A condition placed on approval requires maintenance of the primary and secondary fuel brakes. The site does not include slopes of 40 percent or greater.

**(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 ground water (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.**

**(1) If the water supply is unavailable from public sources, 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.**

**(2) Evidence of a domestic water supply means:**

**(a) Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's rights to appropriate water; or**

**(b) A water use permit issued by the Water Resources Department for the use described in the application; or**

**(c) Verification from the Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements under ORS 537.545, the applicant shall submit the well constructor's report to the county upon completion of the well.**

Findings. The applicant plans to install a septic tank and drill a well because neither a sewerage system or water is available in the area. A condition of approval requires that a well report be before a building permit is issued. The County will renotify applicable property owners of its proceedings concerning finding of compliance with the condition.

- (D) A private road (including approved easements) accessing two or more dwellings, or a driveway accessing a single dwelling, shall be designed, built, and maintained to:
- (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;
  - (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;
  - (3) Provide minimum curve radii of 48 feet or greater;
  - (4) Provide an unobstructed vertical clearance of at least 13 feet 6 inches;
  - (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;
  - (6) Provide a turnaround with a radius of 48 feet or greater at the end of any access exceeding 150 feet in length;
  - (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 1/2 of the driveway length or 400 feet whichever is less.

Findings. The proposed driveway would be subject to compliance with the standards of this section. A condition of approval requires the applicant to submit, before a building permit is issued, written verification from an Oregon Professional Engineer proving compliance with the 52,000 lb. GVW standard for all bridges or culverts. A condition of approval requires the applicant to submit, before a building permit is issued,

verification of an all weather surface for the driveway of at least 12 feet in width and other requirements of MCC 11.15.2074(D).

## **B. Variance Request**

The variance approval criteria are contained in MCC 11.15.8505. The Code's provisions and the hearings officer's findings follow.

- (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. A Minor Variance shall meet criteria (3) and (4).**

Findings. The variance request is 150 feet from the west lot line, a 25 percent deviation from the 200 foot side yard requirement. This is a minor variance under the Code's definitions. Because of the configuration of the lot, it would be difficult to site the proposed dwelling at any location on the property and maintain a distance of 200 feet from any property line. The proposed dwelling site would help maintain most of the natural qualities of the property. The proposed site would cause the least amount of excavation work, minimize the number of fir trees to be removed and preserve a grove of cedar trees located near the center of the lot. The proposed site also would not interfere with a pond and a natural spring located above the pond.

- (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.**

Findings. The variance allowing location of the dwelling near an adjoining property line would not affect the public welfare because the proposed dwelling site is overall the most suitable site on the lot. Under current zoning, the adjoining property to the west could not be further developed. Therefore, the variance can have no adverse effect on the development of the adjoining property. This criterion is met.

- (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.**

Findings The current Comprehensive Plan states that the minimum lot size shall be 80 acres with lots. Because all of the lots in the vicinity are considerably less than 80 acres and are Lots of Record prior to January 25, 1990, the current Comprehensive Plan precludes further division of the lots and also does not allow more than one dwelling per

lot. Therefore the granting of a variance for the dimensional change will not effect the realization of the Comprehensive Plan nor would it establish a use in the vicinity.

### **C. Significant Environmental Concern Permit**

#### **1. Criteria for Approval of SEC Permit. MCC 11.15.6420**

**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 Multnomah County sectional zoning maps. Any proposed activity or use requiring an SEC permit shall be subject to the following:**

- (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.**

Finding. The site does not include a lake, stream, or flood water area and therefore landscape and aesthetic enhancement for the purposes of 11.15.6420(A) is not applicable.

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

Finding. The subject parcel is designated Commercial Forest Use (CFU) under the Multnomah County Comprehensive Framework Plan. Statewide Planning Goal 3 - Agricultural lands and Goal 4 - Forest Lands were established in part to preserve and maintain agricultural lands and to conserve forest lands for forest uses. The County CFU zone has been deemed consistent with Goal 4 and provides for dwellings in certain instances. Only the footprint area of the proposed dwelling and the driveway access area of approximately 20,000 square feet (about 10 percent of the lot) will be affected. Compliance with the requirements of the CFU zone as demonstrated through this final order ensures agricultural land and forest land will be preserved and maintained.

- (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.**

Findings. The applicant intends to site the dwelling near a grove of cedar trees near the center of the property because this location would have the least effect on the natural qualities of the property. This location would cause the least amount of excavation work, minimize the number of trees to be removed and preserve a grove of cedar trees and an old and stately oak tree. Also, this location would not interfere with the existing pond and natural spring located above the pond.

- (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.**

Findings. The proposed use and location do not conflict with any known recreational plans nor is recreational use proposed. The proposed use is a single family residence. This criterion does not apply.

- (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. The applicant has submitted a Police Services Review form signed by the Multnomah County Sheriff's Office indicating the level of police service available to serve the project is adequate.

- (F) Significant fish and wildlife habitats shall be protected.**

Findings. The dwelling would be sited in an area with wildlife habitat values and there may be some conflict with animals. The wildlife habitat is protected by compliance with the criteria for approval of a SEC permit which has been applied for. Because the property is not located near a river, lake or wetland, the protection of fish habitat would be at best minimal. The applicant does not plan to construct any barriers that would disrupt the habitat of the animals either during or after construction.

- (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 on this property.

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

Finding. There are no known archaeological areas located on the property. The applicant is advised that, if archaeological objects are discovered during construction, state statutes require construction be stopped and the State Historic Preservation Office be notified.

- (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. Because the property is not located near a river, lake or wetland, the property is not subject to any flooding. This criterion does not apply.

- (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 restriction on timing of soil disturbing activities.**

Finding. Erosion control for any areas of potential erosion during construction will be exercised as required as required by the Code.

- (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. Construction of the dwelling and improvement of the driveway is not expected to cause any adverse affect on the air, water and land quality or noise levels in the area. The construction methods the applicant plans are those utilized in the industry and the applicant plans no unusual methods.

- (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. The proposed dwelling will be of a standard construction and no unusual colors or lighting are planned. It is the applicant's intent to construct a dwelling that would compliment the natural qualities of the property. Approval of a Conditional Use for a new dwelling requires an applicant to apply for and obtain approval through the Design Review process. The process looks at design issues. This criterion will be ensured through the design review process.

- (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 the natural vegetation, shall be retained in a natural state to the maximum extent possible.**

Finding. There are no known fragile or endangered plant habitats at or near the proposed dwelling and accessory building site.

- (N) The applicable policies of the Comprehensive Plan shall be satisfied.**

Findings. The applicant intends to follow the applicable polices of the Comprehensive Plan. The County requires a finding before approval of a quasi-judicial action of certain factors have been considered. Since this application involves a Quasi-judicial action, Plan Policies 13, 22, 37, 38, and 40 are applicable. These are addressed in

the staff report and incorporated herein. The Comprehensive Plan policies are themselves approval criteria if they have not be incorporated into the zoning code.

**2. Criteria of Approval of SEC-h Permit - Wildlife Habitat. 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. Because the property has been logged and has only a few fir trees scattered throughout the property and a grove of cedar trees, most of the site is "cleared area." The proposed dwelling location would be in an area of thick brush and a few large and small deciduous trees avoiding the grove of cedar trees. This criterion is met.

- (2) Development shall occur within 200 feet of a public road capable of providing reasonable practical access to the developable portion of the site.**
- (3) The access road/driveway and service corridor serving the development shall not exceed 500 feet in length.**
- (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.**
- (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.**

Findings. The location of the proposed dwelling as shown on Exhibit E1 indicates that the dwelling is within 200 feet of the public road and a driveway less than 500 feet in length. The driveway entrance will be located near the eastern property line. The nearest driveway east of this location is over 500 feet. There are no structures on adjacent property that are within 200 feet of the property boundary. This criterion is met.

#### **IV. CONCLUSION AND DECISION**

##### **A. Conclusions for Conditional Use Request for Template Dwelling**

The application for the template dwelling demonstrates compliance with the Multnomah County Code tests for a template dwelling, other requirements of the County Code and Multnomah County Comprehensive Framework Plan.

#### **B. Conclusions for Variance Request**

1. The subject parcel has circumstances of size and steep slopes that do not generally apply to other property in the CFU district.

2. Granting the variance will not be detrimental to the public welfare or injurious to property in the vicinity because the proposed dwelling location will minimize the amount of excavation, the number of fir trees to be removed, preserve a grove of Cedar trees and would not interfere with a pond and a natural spring on the lot.

3. Granting the variance, with the conditions of approval, will not adversely affect the realization of the Comprehensive Plan because the adjoining lots are developed. Nor will granting the variance establish a use which is not listed in the CFU zone.

#### **C. Conclusions for significant Environmental Concern Permit**

The application for development of this property with a single family dwelling not related to forest management, demonstrates compliance with the Multnomah County Code standards for development within an identified wildlife habitat area.

### **V. Final Order and Conditions of Approval**

Based on the findings of fact and conclusions contained herein, and incorporating the Staff Report and other reports of affected agencies and public testimony and exhibits received in this matter, the Hearings Officer hereby approves CU 11-96, HV 14-96, and SEC 21-96 subject to the following conditions:

1. The applicant's site plan as illustrated on Exhibit E1 is approved subject to submittal of the following revisions and clarifications upon application for design review.
  - (a) The site plan shall be revised to identify the specific footprint of the dwelling.
2. The applicant shall not fence the property unless any proposed fencing is determined by Multnomah County to be in compliance with the Significant Environmental Concern Wildlife Habitat Criteria (MCC 11.15.6426).
3. The applicant shall submit an on site sewerage verification form before the County issues a building permit.

4. The dwelling shall have a fire retardant roof and all chimneys shall be equipped with spark arresters. The dwelling shall also comply with Uniform Building Code, be attached to a foundation for which a building permit has been obtained, and have a minimum floor area of 600 square feet.
5. The applicant shall submit a stocking survey, before a building permit is issued, in accordance with the procedures and provisions of MCC 11.15.052(A)(6).
6. The applicant shall provide verification from an Oregon Professional Engineer, before a building permit is issued, that the driveway surface can support 52,000 GVC and provide construction drawings demonstrating the width and grade of the driveway and other requirements comply with the standards of MCC 11.15.2074(D).
7. The applicant shall provide, before a building permit is issued, a well report demonstrating compliance with MCC 11.15.2074(C). At that time, persons entitled to notice will again be notified that the water service part of the approval criterion is being reviewed and there is the opportunity to comment and appeal those particular findings.
8. The applicant shall, before the County issues a building permit, apply for and obtain approval of Design Review for all structures and site development.
9. The applicant shall, before the County issues a building permit and as long as the property is under forest resource zoning, maintain primary and secondary fire safety zones around all new structures, in accordance with MCC 11.15.2074(A)(5)
10. Approval of this Conditional Use shall expire two years from the date of this Order unless substantial construction has taken place in accordance with MCC 11.15.7110(C).
11. The applicant shall, before the issuance of a building permit, apply for and obtain approval of Design Review for all structures and site development.
12. The applicant shall, before the issuance of a building permit, complete required improvements to Rock Creek Road as determined by County Engineering Services.

Dated this 30th day of October, 1996



Deniece B. Won, Attorney at Law  
Hearings Officer





CASE NAME Marsh Dwelling NUMBER CU 11-96, SEC 21-96, HV 14-96

1. Applicant Name/Address

Byron L. and Susan I. Marsh
8610 NW Hazeltine St.
Portland, OR 97229

2. Action Requested by Applicant

Approval of a Conditional Use, SEC permit and Major Variance for the construction of a template dwelling in the Commercial Forest Use Zone.

3. Planning Staff Recommendation

Approval, subject to conditions, of a Conditional Use, SEC Permit and major variance for a template dwelling in the Commercial Forest Use District. This proposal meets the template test and all applicable criteria.

4. Hearings Officer Decision

Approval, subject to conditions, of a Conditional Use, SEC Permit and major variance for a template dwelling in the Commercial Forest Use District.

5. If recommendation and decision are different, why?

Action Requested of Board
[X] Affirm Hearings Officer Dec.
[ ] Hearing/Rehearing
[ ] Scope of Review
[ ] On the record
[ ] De Novo
[ ] New information allowed

ISSUES

(who raised them?)

6. The following issues were raised

- One adjoining property owner, Rick Gilmore, testified at the Hearing that he felt the aggregation requirement for undersized lots in the CFU district were not fair. He stated that if he had purchased the property, he would not have been eligible for a dwelling since he owned an adjoining parcel that already has a dwelling on it. Staff and the Hearings Officer verified that he was correct due the fact that both parcels were under the minimum lot size required and would be considered aggregated if in the same ownership.

7. Do any of these issues have policy implications? Explain.

No policy implications have been identified.

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## HEARINGS OFFICER DECISION

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October 30, 1996

This Decision Consists of Findings of Fact and Conclusions

**CU 11-96** Conditional Use Permit for a "Template Dwelling"  
**HV 14-96** Major variance to the yard (setback) requirements  
**SEC 21-96** Significant Environmental Concern Permit

The applicant has requested a Conditional Use Permit for a "template Dwelling", a Major Variance from the Code's requirement of a 200 foot setback from side lot lines for 100 foot and 38 foot setbacks and a Significant Environmental Concern Permit for this tract which is in the Commercial Forest District.

**Site Address** 1111 NW 53rd Drive

**Tax Roll Description** Tax Lot 4, of lots 23 and 24 *Mountain View Park* located in Section 31, T1N R1E, W.M., Multnomah County, Oregon

**Site Size** 3.88 acres

**Applicant** Byron L. and Susan I. March  
8610 NW Hazeltine St.  
Portland, OR 97229

**Property Owner** J. Jerry Longaker and Chris Copley  
732 NE 190th Ave.  
Portland, OR 97230

**Comprehensive Plan Designation** Commercial Forest

**Zoning Designation** Commercial Forest (CFU)

96 OCT 31 AM 9:26

## I. SUMMARY OF THE REQUEST

The application involves two adjoining pieces of property, Tax Lot 4 and Tax Lot 69. These two lots are in contiguous ownership and constitute a "tract." Tax Lot 69 contains .18 acres and is located within the City of Portland. Tax Lot 4 is the site of the proposed dwelling. Tax Lot 4 is located in unincorporated Multnomah County and is designated and zoned as Commercial Forest land. According to a geotechnical report submitted by the applicant (Exhibit A5), the north portion of the property is relatively steep and slopes easterly. There have been recent slides in this area. There is undulating topography over the southwest portion of the property which indicates historical landsliding and/or soil creep movements.

## II. PUBLIC HEARING

### A. Hearing.

Hearings Officer Deniece Won held a duly noticed public hearing regarding the application on October 16, 1996.

### B. Summary of Testimony and Evidence Presented.

1. Susan Muir, County Planner, summarized the staff report and conditions of approval.

2. Byron March, the applicant, testified in favor of the proposal. He supported the staff report and recommended conditions. He testified that he and his wife first wanted to build on Tax Lot 69 of the tract. Tax Lot 69 is within the City of Portland and within the regional Urban Growth Boundary. The City of Portland determined that the City tax lot was unbuildable.

3. Susan March, the applicant, testified that they are required to have an alternate drainfield available and it is located on Tax Lot 69, the parcel within Portland.

4. Rick Gilmore, a neighboring property owner at 1114 NW 53rd Drive, testified that he had considered purchasing and building on the subject site. Because he owns an adjacent lot containing under 19 acres the County would not permit him to build on the lot because under the tract provisions of the Multnomah County Zoning Code (Code), the subject lot would be combined with his ownership making it unavailable for development. He appeared at the hearing to protest what he sees as unfair results of the Code's requirement to combine contiguous parcels in the same ownership.

### III. STANDARDS AND CRITERIA, FINDINGS OF FACT AND EVALUATION OF REQUEST

#### A. Conditional Use Permit Request for Template Dwelling

1. A "template Dwelling" may be approved as a conditional use permit in a Commercial Forest zone when it is found to satisfy the standards of the Multnomah County Code. MCC 11.15.2050(B). The standards are in subsections .2052 and .2074. Under 11.15.2052 a dwelling may be located on a tract, subject to the following:

- (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 15, 1990;

Findings. Under the Code a lot of record is a lot lawfully created and recorded before October 6, 1977. The uncontroverted evidence in the record is that the lot was legally created and recorded in 1936 before there were zoning regulations.

- (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;

Findings. The site contains 3.88 acres, generally sufficient to site a dwelling. The lot width is 380 feet, which is not sufficient to provide a total of 400 foot in sideyard setbacks and site a dwelling. The applicant has applied for a variance from the setback standards. The setbacks proposed are 38 feet from the south side lot line and 100 feet from the east side lot line. See Section III B of this order.

- (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.
- (e) There is no other dwelling on the tract;
- (f) No other dwellings are allowed on other lots (or parcels) that make up the tract;
- (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
- (h) No lot (or parcel) that is part of the tract may be used to qualify another tract for the siting of a dwelling;

Findings. Soils on the subject parcel have a Site Index of 157, which means that a fully stocked stand of 70 year old Douglas fir trees can produce 10,722 cubic feet of lumber per acre. The Soil Conservation Service survey says the soil is suited to Douglas Fir. Dividing the yield by 70 years produces the average growth rate of 153 cubic feet per year per acre.

The Multnomah County Assessment and Taxation records show that there are 12 lots that were lawfully created before January 1, 1993 within the template. The Multnomah County Assessment and Taxation records show that there are six dwellings that lawfully existed on January 1, 1993 within the template. None of the lots or dwellings within the template are located within the urban growth boundary. The parcel meets the requirement of 11 lots and 5 dwellings within the 160 acre template.

There is evidence that dwellings have existed on the subject property. However, none of the existing structures have been demonstrated to be habitable. The applicant proposes to locate the dwelling where one of the structures is located and will remove the uninhabitable structure before constructing the new dwelling.

The application involves two adjoining pieces of property, Tax Lot 4 and Tax Lot 69. Tax Lot 69 contains .18 acres and is located within the City of Portland. A condition of approval requires that a deed restriction be placed on Tax Lot 69 making it unbuildable.

- (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. The tract and proposed dwelling are located outside any identified big game winter habitat area.

- (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, and 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 applicant proposes access from NW 53rd Drive, a County-owned and maintained road. This criteria does not apply.

- (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;**

Finding. A condition of approval requires that the applicant submit a stocking survey, before a building permit is issued, showing compliance with this requirement .

- (b) **The property owner shall submit a stocking survey report to the county assessor and the assessor will verify that the minimum stocking requirements have been met by the time required by Department of Forestry rules. The assessor will 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;**

Finding. A condition of approval requires the applicant to submit a stocking survey before the County issues a building permit.

- (c) **Upon notification by the assessor the Department of Forestry will 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 will notify the owner and the assessor that the land is not being managed as forest land. The assessor will then remove the forest land designation pursuant to ORS 321.359 and impose the additional tax pursuant to ORS 321.372.**

Finding. Failure to meet stocking requirements will result in removal of the subject property from forest deferral.

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

Finding. The proposed dwelling meets development standards except for the setback variances.

- (8) **A statement has been recorded with the Division of Records that the owner and 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. A condition of approval requires the applicant to record a deed restriction and to provide verification that the statement was recorded, before a building permit is issued.

- (9) **Evidence is provided, prior to issuance of a building permit, that the covenants, conditions and restrictions form adopted as "Exhibit A" to the Oregon Administrative Rules (OAR), Chapter 660, Division 6 (December, 1995), or a similar form approved by the Planning Director, has been recorded with the County Division of Records;**

Findings. A condition of approval requires a deed restriction be recorded that precludes any future sale or development of the attached .18 acres which shall specify that all lots (or parcels) that are part of the tract shall be precluded from all future rights to site a dwelling; and no lot (or parcel) that is part of the tract may be used to qualify another tract for the siting of a dwelling. At the public hearing the hearings officer expressed some concern about this condition because the parcel that is subject to the restriction is within the urban growth boundary, eventually may have sanitary sewer service available and be developable. The Code expressly provides that such restrictions are irrevocable. However, the Code provides that they may be revoked by a statement of release signed by Multnomah County if the tract is no longer subject to protection under Statewide Planning Goals for forest or agricultural lands.

2. **Dimensional Requirements** are set out in MCC 11.15.2058.

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

Finding. The subject property is a legal nonconforming parcel to the minimum lot size of 80 acres.

- (C) **Minimum Yard Dimensions** - structures are required to be setback 60 feet from the centerline of the front lot line along the frontage of a county maintained road and 200 from side and rear lot lines. The minimum height of the structure is 35 feet and the minimum front lot line length is 50 feet. The Code requires variances from these standards to be approved under the Code's variance criteria.

Findings. The subject property has over 100 feet of frontage along a County maintained road. The proposed development meets the rear (north) setback with over 400 feet of rear yard. The applicant proposes that the east setback be 100 feet and the south setback be 38 feet. A variance has been requested for the two sideyard setbacks.

- (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. The closest dwelling is over 100 feet away. This criteria does not apply.

- (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.**

Findings. The subject site abuts NW 53rd Drive, a County owned and maintained road. The Multnomah County Right-of-Way Division has indicated that no additional deed dedication or restrictions will be required along 53rd Drive. However, the applicant will be required to receive a driveway approach permit before a building permit is issued which will require inspection and approval from the Multnomah County Right-of-way Division.

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

Finding. No accessory structures have been requested.

### 3. Access Requirements. MCC 11.15.2068

**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.**

Findings. The subject site abuts a county owned and maintained road, NW 53rd Drive. The applicant proposes the road for access. This criteria is met.

**4. Development Standards for Dwellings and Structures. MCC 11.15.2074.**

**Except as provided for the alteration, replacement or restoration of dwellings under MCC .2048(D), .2048(E) and .2049(B), all dwellings and structures located in the CFU district after January 7, 1993 shall comply with the following:**

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

**(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);**

Findings. The applicant located the proposed dwelling at the maximum distance from surrounding forest and farm operations while taking into account the site's landslide hazard areas. The property owner submitted a geotechnical report stating that clearing of the site at alternate locations for the building would increase surface water percolation and almost certainly destabilize the existing steep slopes and result in additional landsliding over the steeper slopes. A letter from a neighbor states that the site is unstable and slide-prone. The site plan map shows the site's topography and shows that the proposed building location is the flattest area of the site. Future landslides have the potential of impacting adjoining lands if unstabilized. The south side setback is proposed to be 38 feet from the south property line of Tax Lot 4. The actual distance between the dwelling and adjoining ownership is greater than 38 feet because the applicant owns Tax Lot 69 to the south between the proposed dwelling and the public road. The selected building site will minimize impacts on surrounding farm and forest practices caused by erosion and will provide buffers from noise, dust and other impacts associated with farm and forest operations. The proposed location appears to have the least impact on surrounding forest or agricultural lands.

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

Findings. The impact will be no greater than the impact of the dwelling that previously existed at the same location. The applicant proposes to locate the dwelling as close to the road as possible and away from major landslide formations on the subject property that could have effects on farm and forest operations, both on and off site, if disturbed. The effect on forest and farm operations will be minimized by limited land disturbance and maximizing, to the extent possible, the distance to the north, west and east property lines.

**(3) The amount of forest land used to site the dwelling or other structure, access road, and service corridor is minimized;**

Findings. The amount of forest land used for the dwelling and the driveway is approximately 3,000 square feet. The land used has been minimized because of the

dwelling's closeness to the road, while taking into consideration the minimum setback requirements.

- (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 applicant proposes to use the existing 100 foot driveway. This criteria does not apply.

- (5) **The risks associated with wildfire are minimized. Provisions of reducing such risk shall include:**

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

Finding. The territory is within the Tualatin Valley Fire and Rescue District which has a mutual aid agreement with the City of Portland. Adequate service can be provided as indicated by a review by the Fire Bureau.

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

Finding. There is no perennial water source on the subject property. Therefore this criteria is not applicable.

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

- (i) **A primary fire safety zone is a fire break extending a minimum of 30 feet in all directions around a dwelling or structure. Trees within this safety zone shall be spaced with greater than 15 feet between the crowns. The trees shall also be pruned to remove low branches within 8 feet of the ground as the maturity of the tree and accepted silviculture practices may allow. All other vegetation should be kept less than 2 feet in height.**

Finding. The applicant can meet the primary fire safety zone on the subject property.

- (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 25	75
Less than 40	100

Finding. The building site has a slope of 5 degrees. The additional primary safety zone requirements do not apply.

- (iii) A secondary fire safety zone is a fire break extending a minimum of 100 feet in all directions around the primary safety zone. The goal of this safety zone is to reduce fuels so that the overall intensity of any wildfire is lessened. Vegetation should be pruned and spaced so that fire will not spread between crowns of trees. Small trees and brush growing underneath larger trees should be removed to prevent the spread of fire up into the crowns of the larger trees. Assistance with planning forestry practices which meet these objectives may be obtained from the State of Oregon Department of Forestry or the local Rural Fire Protection District.
  - (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 Practice 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).
- (d) The building site must have slope less than 40 percent.

Findings. The secondary fire break will extend into the public right-of-way and across the road to Tax Lot 17. Because Tax Lot 69 is part of the tract it can be used to meet fire safety zone requirements. There is approximately 50 feet from the proposed dwelling to the road at the narrowest point for the secondary fire safety zone. Subsection (v) of this section states that the secondary fire safety zone is required only to the extent possible within the area of an approved yard. With approval of the variance this criteria is

met. A condition is placed on the approval to require maintenance of the primary and secondary fire safety zones.

- (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 ground water (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.**

Findings. A condition of approval requires that the well report be submitted before a building permit is issued. The County will renotify applicable property owners of its proceedings concerning finding compliance with the condition.

- (D) **A . . . driveway accessing a single dwelling, shall be designed, built, and maintained to:**
- (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;**
  - (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;**
  - (3) **Provide minimum curve radii of 48 feet or greater;**
  - (4) **Provide an unobstructed vertical clearance of at least 13 feet 6 inches;**

Findings. A condition of approval requires the applicant to submit, before a building permit is issued, written verification from an Oregon Professional Engineer proving compliance with the 52,000 lb. GVW standard for all bridges or culverts. A condition of approval requires the applicant to submit, before a building permit is issued, verification of an all-weather surface for the driveway of at least 12 feet in width.

- (5) **Provide grades not exceeding 8 percent, with a maximum of 12 percent on short segments, except as provided below:**
- (b) **The maximum grade map be exceeded upon written approval from the fire protection service provider having responsibility;**

Findings. A condition of approval requires the applicant to submit, before a building permit is issued, construction drawings demonstrating that the grade of the driveway complies with the standards of 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. No turnarounds are necessary because the driveway is 100 feet long.

## **B. Variance Request**

The variance approval criteria are contained in MCC 11.15.8505. The Code's provisions and the hearings officer's findings follow.

- (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. A Minor Variance shall meet criteria (3) and (4).

Finding. A practical difficulty exists for this parcel because the total lot width of 380 feet is less than the combined sideyard requirements of 400 feet, leaving no buildable area on the lot if the requirements of the Code are fully enforced. A major variance is one that is more than 25 percent deviation from the Code's requirements. The applicant proposes two variances to the 200 foot side yard setback to allow the dwelling to be located 38 feet from the south side lot line and 100 feet from the east side lot line. Both of these variances are greater than 25 percent.

- (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.

Findings. This property has conditions that do not generally apply to other properties in the vicinity because of its small size, its steep slope and the presence of areas prone to landslide and slumping. The applicant has provided documentation to demonstrate the instability of the property outside the desired building area.

- (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.

Findings. The applicant has demonstrated that the subject property is 380 feet in width on the site plan. There is no opportunity to meet the minimum 200 foot setbacks from both side property lines on this property. Therefore, this property would not be able to be developed with a single family dwelling without approval of the variance. From County records, there appear to be at least 4 nearby CFU zoned lots with existing dwellings closer than 200 feet to side property lines.

- (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.**

Findings. The geotechnical report submitted by the applicant indicates that the proposed location will provide the least amount of erosion potential which could affect this and surrounding properties. The geotechnical report states that "proposed shallow ridge is considered to be best location for residential construction since the area is not prone to landsliding. Basement construction will effectively locate residence into shallow slope and below existing fills." Anthony Wright AW Geotechnical Services, Inc., June 4, 1996. The granting 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 nor will it adversely affect appropriate development of adjoining properties, because the proposed dwelling site is overall, the most suitable building site.

- (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. The granting of the variance will not adversely affect the realization of the Comprehensive Plan nor will it establish a use that is not listed in the underlying zone as long as all the criteria in the zoning code and any applicable state laws are met.

### **C. Significant Environmental Concern Permit**

#### **1. Criteria for Approval of SEC Permit. MCC 11.15.6420**

**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 Multnomah County sectional zoning maps. Any proposed activity or use requiring an SEC permit shall be subject to the following:**

- (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.**

Finding. No rivers, streams or lakes exist on the property.

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

Finding. The forest land will be preserved for any possible future forestry operations. Only the footprint area of an existing building and driveway access of approximately 3000 square feet will be developed, approximately 2 percent of the lot.

- (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. The building site will utilize an existing developed site and will not significantly encroach on any forested lands.

- (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 proposed use is a single family residence. This criteria is inapplicable.

- (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. Public safety will be enhanced because the existing uninhabitable dwellings are at times inhabited by transients. The new residence will reduce the possibility of transient behavior in the immediate area.

- (F) **Significant fish and wildlife habitats shall be protected.**

Finding. There are no fish habitats on the tract. Wildlife habitats will be protected and enhanced because the applicants intend to reforest the previously logged segments of the tract with trees indigenous to the area.

- (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 on this property and therefore this criteria is not applicable.

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

Finding. There are no known archaeological sites on the property.

- (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. No floodplains or wetlands are on the tract.

- (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 restriction on timing of soil disturbing activities.**

Finding. The applicant will plant areas of potential erosion with indigenous vegetation. During construction proper erosion control is required by the Code.

- (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.**

Finding. The proposed use of the 3.88 acre site is a single family dwelling which should not adversely affect air, water and land quality, or noise levels in the SEC designated area.

- (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.**

Finding. The applicant submitted a picture and floor plan of the proposed residence. Its northwest architecture and wood construction is compatible with the character and quality of the area. Approval of a conditional use for a new dwelling requires an applicant to apply for and obtain approval through the Design Review process. The process looks at design issues. This criteria will be ensured through the design review process.

- (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 the natural vegetation, shall be retained in a natural state to the maximum extent possible.**

Finding. The building site is utilizing an area already occupied by a structure and generally devoid of vegetation. No endangered plant habitat is known to exist on the tract.

- (N) **The applicable policies of the Comprehensive Plan shall be satisfied.**

Finding. The approvals required for the proposed uses and other provisions within the Code that will continue to apply should assure the policies of the Comprehensive Plan will be satisfied. The Comprehensive Plan policies are not themselves approval criteria.

**2. Criteria of Approval of SEC-h Permit - Wildlife Habitat. 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 proposed dwelling is to be located in an existing cleared area. This standard is met.

- (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 developed site will be within 65 feet from a County road. The County Right-of-Way Division has determined that reasonable access can be provided to the dwelling by NW 53rd Ave.

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

Finding. The driveway will be 65 feet long. This standard is complied with.

- (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 access driveway is within 200 feet of the property boundary. This standard is complied with.

**IV. CONCLUSION AND DECISION**

**A. Conclusions for Conditional Use Request for Template Dwelling**

The application for the template dwelling demonstrates compliance with the Multnomah County Code and Multnomah County Comprehensive Framework Plan.

**B. Conclusions for Variance Request**

1. The subject parcel includes circumstances of size, steep slopes, and landslide potential that do not generally apply to other property in the same district.

2. The zoning requirement would restrict the use of this property from development since it cannot meet the 200 foot setback requirements anywhere on the property.

3. Granting the variance will not be detrimental to the public welfare or injurious to property in the vicinity because the proposed dwelling site is overall the most suitable site.

4. Granting the variance, with the conditions of approval, will not adversely affect the realization of the Comprehensive Plan.

### **C. Conclusions for significant Environmental Concern Permit**

The application for development of this property with a single family dwelling not related to forest management demonstrates compliance with the Multnomah County Code standards for development within an identified wildlife habitat area.

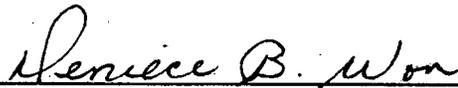
## **V. Final Order and Conditions of Approval**

Based on the findings of fact and conclusions contained herein, and incorporating the Staff Report and other reports of affected agencies and public testimony and exhibits received in this matter, the Hearings Officer hereby approves CU 11-96, HV 14-96, and SEC 21-96 subject to the following conditions:

1. The applicant shall preclude Tax Lot 69 from all future rights to site a dwelling by a deed restriction which shall be recorded and evidence of recordation shall be submitted to the Multnomah County Transportation and Land Use Planning Division before approval of the building permit.
2. The applicant shall provide verification that a deed restriction has been recorded stating that 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 shall be submitted to the Multnomah County Transportation and Land Use Planning Division before approval of the building permit.
3. The applicant shall submit a stocking survey, before issuance of a building permit, in accordance with the procedures and provisions of MCC 11.15.2052(A)(6).
4. The roofing material and chimney design shall be reviewed and approved, before issuance of the building permit, in accordance with MCC 11.15.2074(B)(4) and (5).
5. The applicant shall submit well reports, before issuance of a building permit, that demonstrate compliance with MCC 11.15.2074(!)(c) and at that time, persons entitled to notice will again be notified that the water service portion of the approval criteria is being reviewed and there is the opportunity for comment and appeal of those particular findings.

6. The applicant shall provide verification from an Oregon Professional Engineer, prior to issuance of a building permit, that the driveway surface can support 52,000 lbs GVW along with construction drawings demonstrating that the width and grade of the existing driveway comply with the standards of MCC 11.15.2074(D).
7. Approval of this Conditional Use shall expire two years from the date of the Order unless substantial construction has take place in accordance with MCC 11.15.7110(C).
8. The applicant shall, before the issuance of a building permit, apply for and obtain approval of a Hillside Development Permit.
9. The applicant shall, before the issuance of a building permit, apply for and obtain approval of Design Review for all structures and site development.
10. The applicant shall, before the issuance of a building permit, complete required improvements to NW 53rd Drive as determined by County Engineering Services.
11. The applicant shall, before the issuance of a building permit and as long as the property is under forest resource zoning, maintain primary and secondary fire safety zones around all new structures, in accordance with MCC 11.15.2074(A)(5).

Dated this 30th day of October, 1996

  
\_\_\_\_\_

Deniece B. Won, Attorney at Law  
Hearings Officer

#1  
PLEASE PRINT LEGIBLY!

MEETING DATE

11-15-96

NAME

ROBERT HEISEY

ADDRESS

14636 N.E. SCHUYLER

STREET

FORT.

CITY

97230

ZIP CODE

I WISH TO SPEAK ON AGENDA ITEM #

R-1 JAIL SITING

SUPPORT

OPPOSE

SUBMIT TO BOARD CLERK

#2

PLEASE PRINT LEGIBLY!

MEETING DATE 11-<sup>14</sup>15-96

NAME Jean M Ridings

ADDRESS 21510 NE Blue Lake Rd

STREET  
Troutdale, OR 97060

CITY ZIP CODE

I WISH TO SPEAK ON AGENDA ITEM # S R-1

SUPPORT \_\_\_\_\_ OPPOSE ✓

SUBMIT TO BOARD CLERK

#3

PLEASE PRINT LEGIBLY!

MEETING DATE 11/14/96

NAME WILLIAM CARROLL

ADDRESS 13838 NE MILLOW ST

STREET  
PORTLAND, ORE

CITY

97230

ZIP CODE

I WISH TO SPEAK ON AGENDA ITEM # 5119

JAIL R-1

SUPPORT \_\_\_\_\_ OPPOSE ✓

SUBMIT TO BOARD CLERK

#4

PLEASE PRINT LEGIBLY!

MEETING DATE

11/14/96

NAME

PAUL J MILLER

ADDRESS

3555 NE 133 AVE

STREET

PORTLAND OR 97230

CITY

ZIP CODE

I WISH TO SPEAK ON AGENDA ITEM #

NON

R-1

SUPPORT

OPPOSE

SUBMIT TO BOARD CLERK

#5

PLEASE PRINT LEGIBLY!

MEETING DATE 11/14/96

NAME Stella Rossi

ADDRESS 3710 N.E. 147

STREET PORTLAND, OR 97230

CITY ZIP CODE

I WISH TO SPEAK ON AGENDA ITEM # R 5

SUPPORT \_\_\_\_\_ OPPOSE R 5

SUBMIT TO BOARD CLERK

#6

PLEASE PRINT LEGIBLY!

MEETING DATE 11-14-96

NAME Sherry L. Dallen "DOLLIN"

ADDRESS 6702 N Serrano

STREET PO Box 708

CITY ZIP CODE

I WISH TO SPEAK ON AGENDA ITEM # R-1

SUPPORT \_\_\_\_\_ OPPOSE \_\_\_\_\_

SUBMIT TO BOARD CLERK

Submitted 11/14/96  
JEAN RIDINGS  
INTERLACHEN

TO; MULTNOMAH COUNTY COMMISSIONERS  
FROM: Linda Ray, Interlachen Homeowners' Association President  
RE: Multnomah County Jail Siting

This packet of information is in support of excluding all of the Columbia South Shore locations from consideration in the siting of the new county jail. An article by Volney Faw, featured in the November 7th issue of The Oregonian, addresses the true costs of jail siting. The following points are further explained in this packet:

1. **Natural Hazards** (require evacuation and security plans)
  - a. **Flood Plain:** photo of 1948 flood when dike broke and covered entire South Shore. 1996 flood only considered a 25 year event!
  - b. **Earthquake Zone**
    - 1) 3 known faults-Grant Butte, Lackamas, Landau and 1 proposed fault-DEQ
    - 2) entire area alluvial deposits with great risk of liquifaction and possible ground motion amplification
2. **Residential areas:** most sites are within one mile (or less) of homes and/or schools
3. **Prime Industrial Land:** with exception of NW Industrial site, all others are PRIME LAND
4. **True Cost of Prime Land:**
  - a. more expensive to buy
  - b. waste of dollars spent to prepare area for prime industrial development
  - c. due to natural hazards (flood/earthquake) construction costs will be higher IF county follows state and county building codes
  - d. added cost to taxpayer to rebuild or retrofit jail and treatment center after flood or quake
  - e. transportation costs will be higher from South Shore area than from NW Industrial area
  - f. loss of tax revenues from prime property and fewer jobs created in 35-60 acre site
5. **No public transportation** available to sites 4, 5, 6
6. **Eventual change** from residential to out-patient treatment center (and parole office) is **unacceptable** to homes and schools nearby

With Measure 47, it becomes critical that the County realizes that there is a **FINITE** share of tax dollars, and the voters have said "NO MORE" bottomless pockets! The **BEST SITE** for the new jail is the **NW Front Avenue** location. It is not prime industrial land, it is closest to the Justice Center, natural hazard risk is not as great, and the drain on County tax revenues will be much less. It is imperative that the true long-term costs of building this jail be the primary criteria in siting this facility. You have an opportunity to be **far-sighted** and **wise** by doing what is **best** for the taxpayer in terms of cost and community impact.

TO: Siting Advisory Committee

FROM: Linda Ray, President, Interlachen Homeowners Assoc.

RE: Site locations numbers 4, 5, and 6.

This is to address a number of concerns about the following possible locations: Sandy Blvd. Business Center (#4), Wagner-Galitski (#5), and Spada (#6). These concerns are:

1. FLOOD PLAIN

- A. The Army Corps of Engineers set flood plain at 17' in late 1970's and early 1980's.
- B. In recent years, local governmental changes lowered the flood plain level to 14' to allow for development.
- C. Currently the Friends of Blue and Fairview Lakes has filed a Letter of Map Revision (LOMR) with FEMA requesting that the flood plain be raised to 15'. This is under consideration NOW.
- D. Any development of this area should have evacuation plans - BUT - What becomes of the inmates once evacuated?
- E. It is irresponsible to think that the dike (Marine Drive) will **NEVER** fail. This year Marine Drive was closed to all traffic for fear of the dike being weakened from vibrations. Also there was seepage near the airport. Multnomah Drainage Dist. #1 is responsible for maintaining the dike...unfortunately, the District can't afford to replace old pumps, let alone maintain the entire dike system! Included is an aerial photo of the Columbia Corridor during the flood of 1948 when the **dike did break!**
- F. An aerial photo of the flooding around the headwaters of the Columbia Slough (1996) will give an idea of what happens when the pump stations of Multnomah Drainage Dist. #1 cannot keep up with runoff due to volume and high river levels. George Taylor, Climatologist at OSU has stated that 1996 rates as a 25 year event in this area.

2. VULNERABLE SEISMIC AREA

- A. Faults
  - 1) Portland Water Bureau recognizes as active, two large faults:
    - a) Grant Butte Fault: running through SE Portland and south Gresham
    - b) Lackamas Fault: running NW out of Washington crossing SE under the Columbia, and running East of Troutdale
    - c) Landau Fault: running SE to NW dissecting Blue Lake
    - d) Proposed DEQ Fault: running North & South west of 185th and east of Blue & Fairview

Lakes.

- 2) Intersection of Landau and DEQ proposed fault is at Marine Drive (dike)...this section is at great risk.
- B. Entire area is made up of alluvial soils which are very susceptible to:
- 1) Liquefaction: earthquake induced flow of over-saturated soils
  - 2) Ground Motion Amplification

Considering these faults and soils is not enough...Have ANY geotechnical studies been done to determine the effects of liquefaction and ground motion amplification on possible damage to this area?

Always of concern is the proximity to residential areas. The Spada location extends to the river in between currently developed houseboat moorages, and is less than a mile from the Interlachen neighborhood and the Fairview Lake Estates east of Interlachen. Many houseboats and homes in the area are worth several thousand dollars each...a backyard jail will certainly lower property values...not to mention the long-term effect on nearby Blue Lake Park.

With the concerns over flooding and potential seismic activity, it is imperative that these factors be considered in any site selection. As "essential facilities" are supposed to have more stringent building code requirements applied to them, We would hope these factors are considered BEFORE building the first time, rather than spending millions in more tax dollars in retrofitting or rebuilding after such events.

APPENDIX:           Aerial photos: Floods of 1948 & 1996  
                  Oregon Geology Article (Landau Fault\_)  
                  Proposed DEQ Fault Line  
                  Natural Hazards Planner

**Sandstone-conglomerate unit 1**

Underlying siltstone unit 1 is sandstone-conglomerate unit 1 (Figure 8). Sandstone comprises the upper portion of this unit near the center of the study area. It consists of moderately cemented, black, vitric (sideromelane), medium to coarse sand with basaltic conglomerate lenses. Local alteration of vitric sand to clay (palagonite) forms the cementing agent (Trimble, 1963). Thickness for the sandstone portion of this unit varies from 40 to 80 ft.

The conglomerate underlying the sandstone is clast supported and consists of weakly to moderately cemented, vitric-lithic to arkosic, sandy basalt with quartzite and other metamorphic, volcanic, and plutonic pebbles and cobbles and also includes some thin lenses of blue or gray clayey siltstone and vitric sandstone. Conglomerate thickness varies from 40 to 90 ft. In the southeast portion of the study area, the unit becomes primarily conglomerate. A discontinuous siltstone unit up to 18 ft thick is also sometimes present between the sandstone and conglomerate portions of sandstone-conglomerate unit 1. When saturated, this unit forms the Troutdale sandstone aquifer (see Figure 4).

Sandstone-conglomerate unit 1 crops out at numerous locations in the eastern portion of the study area. We measured bedding attitudes at several outcrops and incorporated these data into the structure-contour maps. All outcrops of this unit examined in the study area displayed an erosional surface with little weathering.

**Siltstone unit 2**

Underlying the sandstone-conglomerate unit 1 is siltstone unit 2. Siltstone unit 2 is lithologically similar to siltstone unit 1. It consists of a blue-gray, micaceous clayey silt with organic matter and sandstone interbeds. Thickness of this unit ranges to over 100 ft. Hydrogeologically, this unit forms confining unit 2 (see Figure 4).

**Sandstone-conglomerate unit 2**

Underlying siltstone unit 2 is sandstone-conglomerate unit 2. Lithologically, this unit is somewhat similar to sandstone-conglomerate unit 1 but contains more conglomerate, more frequent interbedding of siltstone, and more interbedded siltstone near the base of the unit. Swanson (1986) identified the geochemical signature of vitric sandstone within this unit, indicating its affinity with the Troutdale Formation. The finer sediments near the base of the unit make it difficult to determine the boundary between sandstone-conglomerate unit 2 and the underlying Sandy River Mudstone. Thickness may be as much as 500 ft in the study area, but few wells have penetrated the unit. When saturated, sandstone-conglomerate unit 2 forms the sand and gravel aquifer (see Figure 4).

**Sandy River Mudstone**

Underlying sandstone-conglomerate unit 2 is the Sandy River Mudstone. The unit consists primarily of clayey siltstone and sandstone but may also contain some conglomerate. The

Sandy River Mudstone unconformably overlies the Columbia River Basalt Group and other volcanic units (Trimble 1963).

**STRUCTURE**

We further defined structural deformation of the study area through cross sections and structure-contour maps. Structure-contour maps of selected stratigraphic contacts are shown in Figures 9 and 10. Cross section lines are shown in Figure 3. These figures indicate that the structure of the study area is the result of several processes, including folding, faulting, and possibly fluvial channel incision.

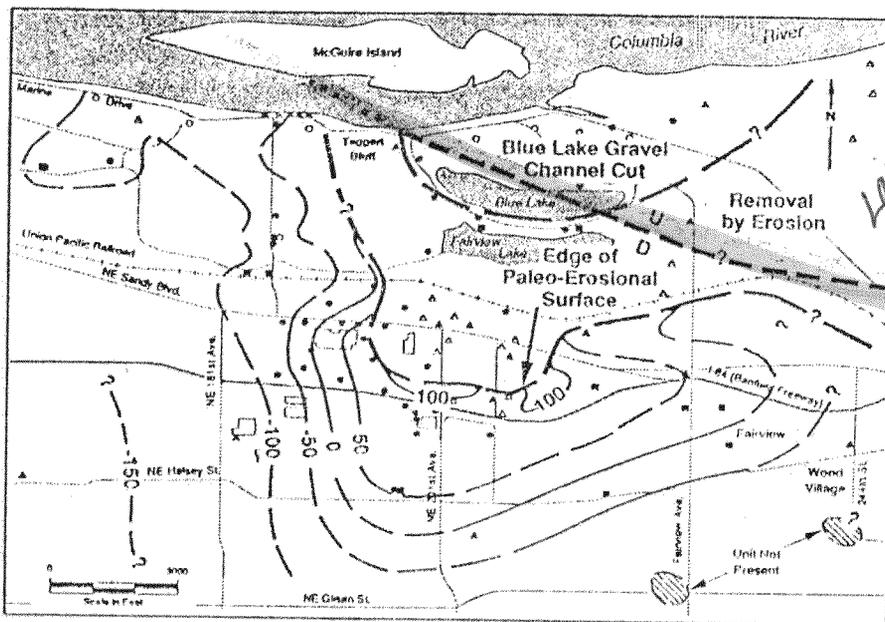


Figure 9. Structure-contour map of top of siltstone unit 1. This unit was partially or completely removed by erosion where indicated ("paleo-erosional surface").

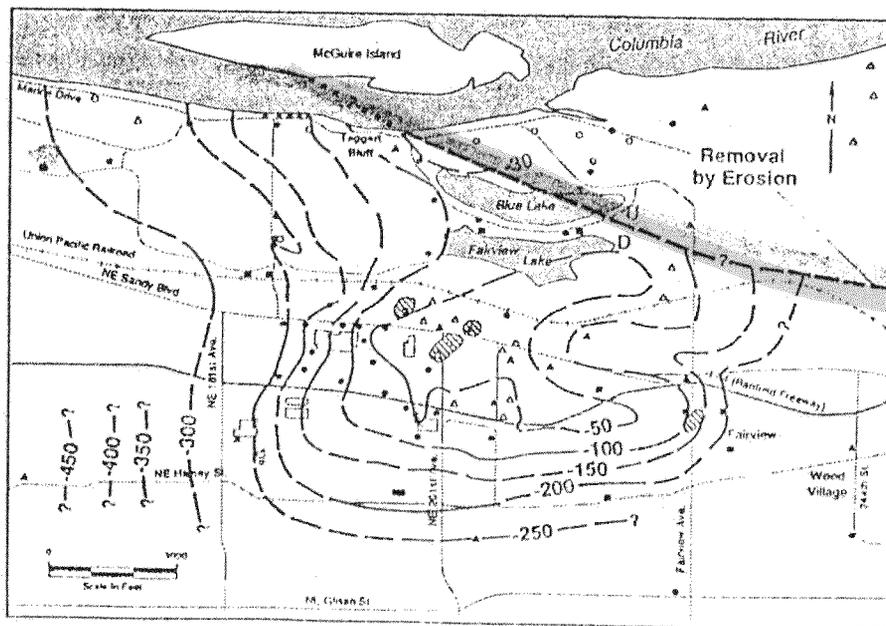


Figure 10. Structure-contour map of top of siltstone unit 2. This unit was removed by erosion north of the fault trace and is interpreted to be missing by channel incision near center of figure (hatched areas on map).

#1

TSA - Troutdale Sand Aquifer TCE - Chemical contaminant 1992

TSA Plume Map for TCE @ 30 ppb contour intervals w/o consideration of shallow vs. deep TSA

Columbia River

Proposed Fault Line

Blue Lake

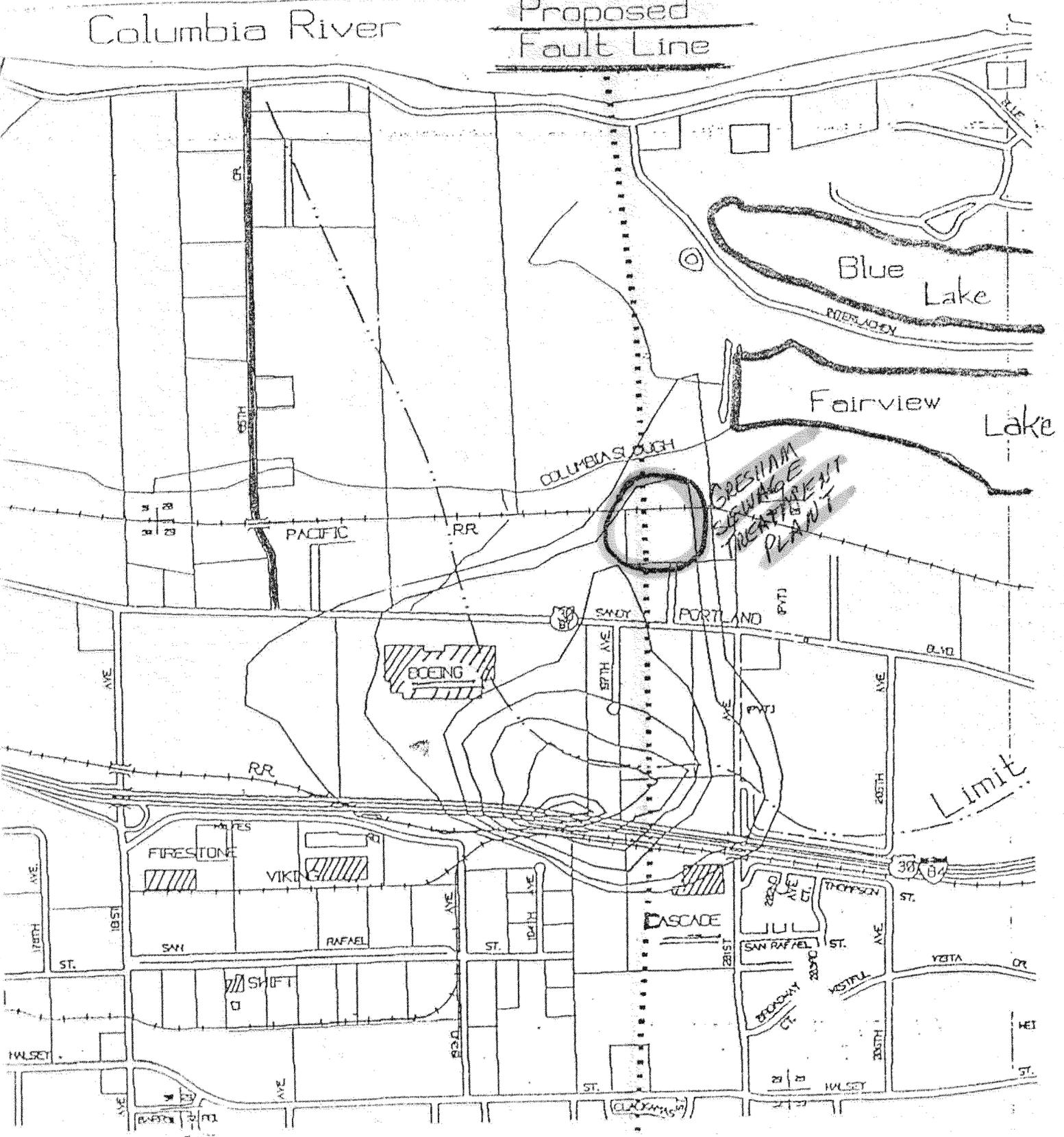
Fairview Lake

BRESHAM SEWAGE TREATMENT PLANT

BOEING

CASCADE

Limit



THE "PLUME" OF CONTAMINANTS MOVING IN FAULT ZONE

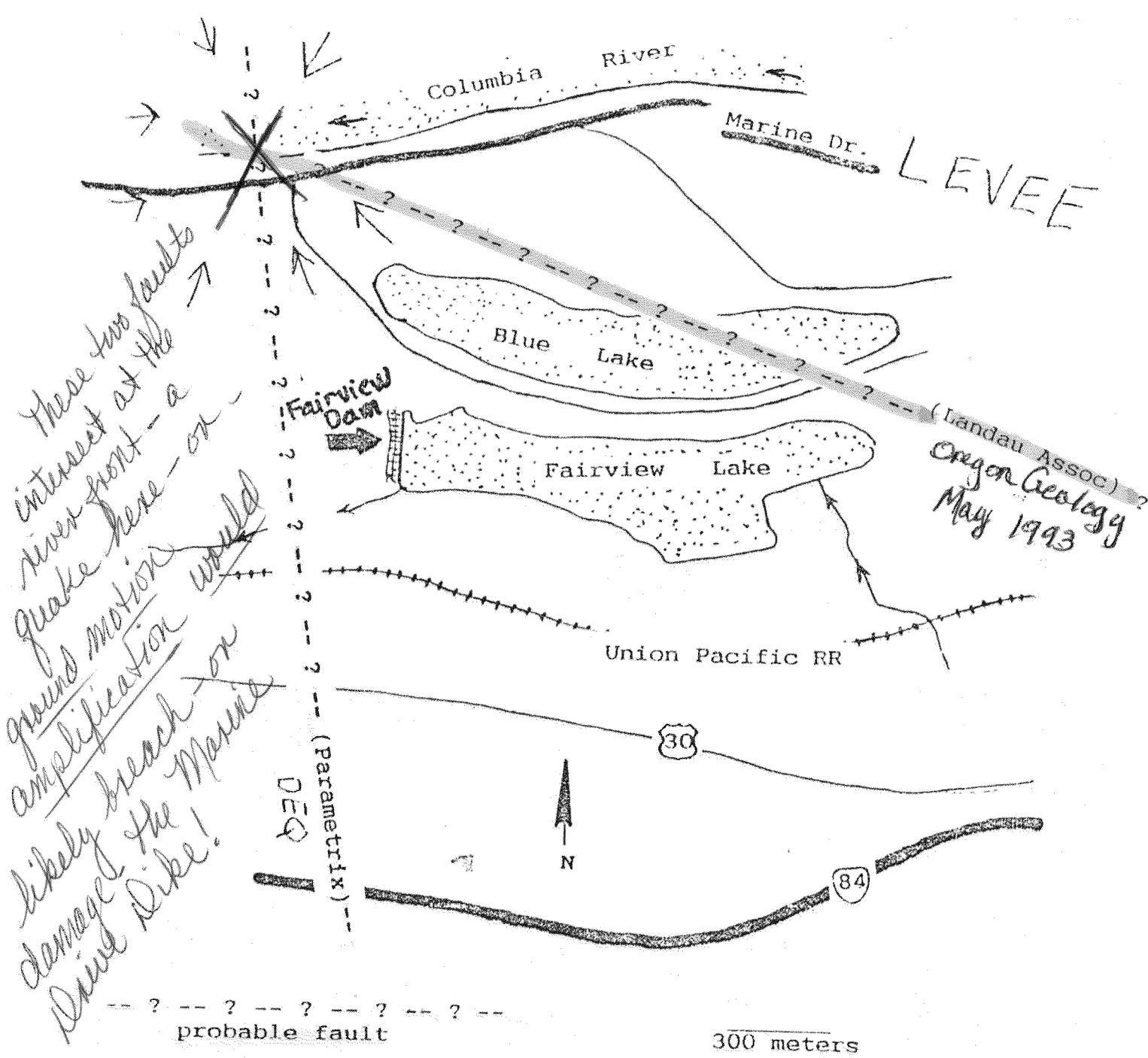
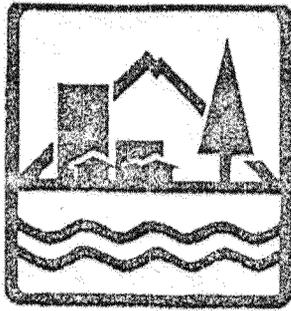


Figure 1

"Natural Hazards Planner"  
 Dept. of Land Conserv & Dev.  
 Newsletter for local government  
 1993 4<sup>th</sup> quarter

Oregon  
Department  
of  
Land  
Conservation  
and  
Development



Received <sup>from Jim Keizer</sup> 12/3/93 378-2332

# NATURAL HAZARDS PLANNER

A Newsletter for Local Government

Fourth Quarter

Fiscal Year '93

## TALE OF TWO CITIES: FAIRVIEW AND KEIZER

This quarter's newsletter focuses on the question of natural hazards in two Oregon communities: Fairview and Keizer. One involves seismic hazards and Periodic Review (Fairview); the other is concerned with the impact of a sub-standard river levee on flood insurance (Keizer). Together, they provide additional insights into the effects of natural hazards on community planning.

### The Fairview Seismic Question and Periodic Review

The City of Fairview is located about 15 miles east of Portland -- near the edge of the rapidly growing metropolitan area. Fairview is changing. Its rural setting is giving way to urban uses. This has prompted the attention of citizens groups which are concerned about ground water contamination and earthquake hazards.

Fairview's land-use plan is in Periodic Review -- the process through which comprehensive plans are updated to reflect a change in conditions, new agency programs, the acquisition of new data, etc. During Periodic Review, a citizen's group maintained that the city had not adequately addressed the impact of seismic hazards such as probable geologic faults near Fairview Lake.

#### Setting

Fairview Lake is not far from the Columbia River and is probably the remnant of an old meander scar. About two thirds of the lake is in the city; the remainder is within unincorporated Multnomah County. The lake is quite shallow, being about three to four feet deep during the summer. It is

separated from the much deeper Blue Lake by a low ridge (Figure 1). Some of the land bordering Fairview Lake is zoned for residential development.

Much of 105-acre Fairview Lake is a former wetland. It has been dredged since the 1940s to provide a retention area for local flood water (e.g., Fairview Creek). Dredge spoils have been placed at the natural outlet to form an extensive but low earthen embankment -- sometimes referred to as "the dam".

#### Residential Structures on Fill

A number of homes have been constructed on the north side of the lake, some of which are on fill. Also, the city recently approved a twelve-lot subdivision on the embankment itself. Oregon's Water Resources Department (WRD) investigated the embankment and concluded that the proposed development would not adversely affect the structural integrity of the earthen embankment -- provided that certain construction standards are maintained. WRD did not specifically address the liquefaction potential of soils within the embankment.

Liquefaction

Liquefaction is a condition in which an unconfined water-saturated soil loses its strength and flows like a liquid. This phenomenon can be induced by earthquakes, where severe ground shaking causes the separation of saturated, loosely compacted granular particles (e.g., sandy fill). The Oregon Department of Geology and Mineral Industries believes that the liquefaction potential of the embankment warrants further consideration.

Probable Faults

One citizen group cited two geologic reports which identified a subsurface fault in the vicinity of Fairview Lake (Figure 1). The group expressed concern about the proximity of one of the faults to the dam and objected to the city's failure to address all known hazard areas as required by Statewide Planning Goal 7.

In analyzing the objection, DLCD requested assistance from the Department of Geology and Mineral Industries (DOGAMI). In its reply DOGAMI stated:

Too little is known (about the faults) to draw conclusions regarding size, recency, or frequency of movement. Requirements beyond those of the Building Codes Agency are not required by the current data bases for this fault specifically ...

We note that earthquake risk is a broader issue than just the fault and should be addressed in the comprehensive plan. Ground response for earthquakes, regardless of specific location, is the key to cost-effective and successful mitigation in Oregon and particularly in the Portland area.

Planning Approach

The City of Fairview faces a common problem -- lack of adequate information. At present, there is only general knowledge about the city's susceptibility to seismic hazards. This will change in about two years when DOGAMI completes its seismic hazards map for the Fairview area. In the meantime, Fairview can utilize DOGAMI's growing data base and perhaps seek advice from Metro on planning for seismic events.

A common planning approach for developed areas

combines structural standards with site-specific conditions. The Oregon Building Codes Agency is in the process of revising sections of the Structural Specialty Code to reduce the effects of seismic activity. This includes site-specific investigations.

There are more planning options for undeveloped areas within an urban growth boundary. A prudent community will realize that structural standards and site-specific investigations are not a substitute for long range planning. For example, local soil conditions may dictate the most appropriate areas for certain kinds of development. Planning options may include the acquisition of open space. This is especially desirable in areas where severe ground shaking is a virtual certainty.

The City of Fairview's periodic review, required by state law, represents DLCD's first significant attempt to deal with seismic hazards. The Land Conservation and Development Commission (LCDC) will address Fairview's Periodic Review at its December 2-3 meeting in Salem. The next issue of this newsletter will discuss LCDC's action on Fairview and the possible implications for future periodic reviews and seismic issues. *see p. 5*

Keizer Levee

The Keizer levee was constructed shortly after the devastating Christmas flood of 1964. Its purpose was to protect a flood-prone residential area from the Willamette River. At that time, Corps of Engineer standards for levee construction and maintenance were less stringent than they are today. This is an important point.

In 1985, the Federal Emergency Management Agency (FEMA) considered the area behind the levee relatively safe from a 100-year flood. Consequently, FEMA designated the area as a B zone, i.e., subject to a 500-year flood (Figure 2a). According to law, federally backed lending institutions must require their clients to purchase flood insurance for new structures placed in a 100-year floodplain (i.e., in an A zone). Flood insurance is not required for B zone structures (e.g., 500-year floodplain).

According to the Corps of Engineers, things have changed. The half mile long levee has deteriorated over the years and no longer provides protection from a 100 year flood (Corps letter, June 30, 1993). The significance of the change was depicted

## CRITERIA LIST

### 1. LEAST COMMUNITY IMPACT

It is imperative this becomes #1 in the Criteria list. No community wants this jail and drug and alcohol treatment center located across the street from homes and schools and the county and SAC should be mindful of this issue. The Northwest industrial district site is not close to any homes or schools, it is a heavy industrial area and the site with the least community impact.

### 2. NO SATURATION OF CORRECTIONAL FACILITIES

Placement of this jail in Northeast gives that area 85.5% of all correctional facilities in Multnomah County. From Inverness @ 115th to N.E. 148th & Sandy (33 blocks) there would be 3054 jail inmates, or one inmate for every 6.25 families in the Argay, Wilkes & Parkrose neighborhoods. City-wide ratio is one inmate for every 49.5 families. This does not include the drug & alcohol treatment center. The N.E. ratio of families to inmates is indicative of "saturation". This is deliberate discrimination and there will be a huge social price to pay if this jail is located in Columbia South Shore.

### 2. NO SATURATION OF CORRECTIONAL FACILITIES

For a prison, the state purchases a minimum of 300 acres. In Ontario, Oregon where the Snake River Prison will soon house 3000 inmates, (the state's LARGEST prison) they have over 500 acres, and it is five miles outside of town. Our elected officials want to place jail facilities equal to Snake River in size and want to do it in the middle of a business park and across the street from homes. It is unconscionable to place this facility in the Columbia South Shore locations.

### 2. NO SATURATION OF CORRECTIONAL FACILITIES

Placement of this jail in Northeast give us 85.5% of all the correctional facilities. Additionally, the drug & alcohol treatment center can grow from its 300 beds. Tamara Holden, Dir. of Community Corrections for Multnomah County said, "That (growth) would be ideal". During the SAC meeting on 10/8 it was acknowledged that 75-85% of all jail inmates have a drug and/or alcohol addiction. SAC member Mr. Fussell refers to that as a "high percentage with the problem." Why is 85% a high percentage when referring to addicted offenders, and a percent to be disregarded when referring to correctional facility placement? The criteria for "No Saturation of correctional facilities" is legitimate.

### 3. ZONING:

*Zoning criteria should read, "Heavy Industry, not prime industrial".*  
The original wording in the June sheriff's criteria was, "Industrial, but not prime industrial". Heavy industry would supply the facility with work release opportunities in close proximity.

### ZONING

*Zoning criteria should read, "Heavy Industry, not prime industrial".*  
Not all industrial land is equal. Need to quantify the land value of each candidate site and exercise a preference for the least valuable.

3. ZONING

*Heavy Industrial, not prime industrial.* Site 6 is in the Eastern Gateway District of Portland Development Commission's Airport Way Urban Renewal Area Development plan. Impact on this development plan at this site should be carefully considered.

4. TOPOGRAPHY

*No flood plain or wetlands, soil of foundation quality.*

Sites 4-5-6 are all located in a flood plain and contain wetlands. All three sites are in a flood plain with the only protection an earthen dike. Oregon's Statewide Planning Goals and Guidelines\* (LCDC) specifically states that when "planning for flood plain areas, uses that will not require protection through dams, dikes and levies should be preferred over uses that will require such protection." The "no flood plain" terminology must be placed in the criteria because it FITS THOSE SITES! \*Goal #7

4. TOPOGRAPHY

*No flood plain or wetlands, soil of foundation quality.*

Sites 4-5-6 are in a flood plain and this is an issue which must be addressed. Any natural disaster, which causes a break in the dike, will cause a flood. It needs to be determined how quickly a flood will occur and how high the water will rise if the dike breaks. How quickly can 2-3 thousand inmates (including those in lock down status) be evacuated and where will they be evacuated to? Is there any secure location suitable in size to handle this situation?

4. TOPOGRAPHY

*No flood plain or wetlands, soil of foundation quality*

Permanently occupied buildings must be 1' above the 100 year flood plain. The rating of a 100 year flood is different depending on the quality of flood protection as it is measured by FEMA and the standards for setting the 100 year flood plain level for an area. Why is the county so determined to place this jail in a known flood plain? The State of Oregon's criteria for siting it's prisons specifically states, "outside a 100 year flood plain or designated tsunami zone". If that is the State of Oregon's criteria, why does the county accept less?

5. INMATE SAFETY

The county must consider inmate safety associated with placing a jail in a known flood plain behind an earthen dike in a seismic zone termed "extreme hazard" (Metro map). The county is hereby on notice of this potential loss of life to inmates who could not be evacuated in time. This risk must be weighed (you already have Inverness in such a situation) and quantify the risk of wrongful death suits.

6. TRANSPORTATION COSTS AND ACCESS

The SAC should consider a high-rise detention center on the block across the street from the existing Justice Center as an alternative. The sheriff must quantify the transportation costs saved by using a high-rise near the courts and permit the community to review this data.

6. TRANSPORTATION COSTS AND ACCESS

A traffic study should be conducted on each site and reviewed by the SAC *before a site is chosen*. Under Portland City Code, the county must establish that "The transportation system is capable of safely supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, access to arterials, transit availability, on street parking impacts, lot access requirements, neighborhood impacts and pedestrian safety."

7. LAND ACQUISITION AND CONSTRUCTION COSTS.

The sheriff and Board of County Commissioners have a duty to build this jail at the lowest possible cost. Right now, the block of property at Two Main Place is available for \$6.8 million. Acquisition of 60 acres of site 4 at \$3/per sq. ft. (which is an accurate figure as per PDC) would cost \$7.8 million. It is possible we could enter into a cooperative arrangement with the Federal government and the sheriff and Board of County Commissioners have a duty to pursue this possibility.

7. LAND ACQUISITION AND CONSTRUCTION COSTS

The sheriff and Board of County Commissioners have a duty to the taxpayer to approach this jail siting and construction with every possible savings in mind. A comparative detailed analysis of construction costs for sites 4-5-6 vs. each other candidate site must be undertaken and presented to the SAC prior to the selection of a site. Building in Columbia South Shore will require site specific geotechnical studies and the sheriff's office has already admitted it will be more expensive to build there, i.e. pilings as opposed to footings on a site up and out of the flood plain. (Charles Kelly comments 10/8)

7. LAND ACQUISITION AND CONSTRUCTION COSTS

If site 4-5- or 6 is chosen, The sheriff must be in Compliance with the Columbia South Shore Plan District. The criteria must address this issue due to Portland's Columbia South Shore Plan District requirements. See Code Section 33.515 et seq. This includes the prohibition on fencing and the requirement for trees and plants. For security reasons, can the jail comply with the trees and plants requirement? The 40 mile loop trail must be considered.

Sean Finn  
21001 NE Interlachen Ln  
Troutdale, OR 97060  
665-4897

Siting Advisory Committee  
Dan Oldham  
Multnomah County Sheriff's Dept.  
12240 NE Glisan Street  
Portland, OR 97230

This letter is in response to the siting of the new correction and rehab. facilities. I am a member of the Interlachen homeowners association. Interlachen lane circles between Blue and Fairview lakes. We have concern with sites number 4,5, and 6; number 6 being our main concern. Reasons why these sites are unfavorable are as follows:

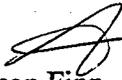
~~The first and main concern is residential impact.~~ Interlachen area, Fairview Lake Estates, and all the floating home communities along marine drive are very close, especially to site 6, about a half mile away. The houses along marine drive would be able to see the facility from their front yard. The floating home communities represent a large residential area right across the street from site 6. Fairview lake is under more residential development, which will be finished in the future. Mc Guire Point community is currently adding floating homes as a new community. This shows that this area is continuing on a residential growth pattern. Site 6 is not in the middle of an industrial area, it is on the fringe, next to a large and growing residential area.

~~The second concern is the fact that Blue Lake Park is about a half mile away.~~ This park is a very used park all year. This is a very family oriented park, with many summer events, including concerts, waterskiing competitions, triathlons, running and biking races, and numerous company picnics. The correction and rehab. facility should not be mixed with this pleasant, recreational atmosphere.

~~The third concern is the fact that Inverness jail is relatively close.~~ We feel that another facility even closer would only hurt our residential area that much more. This relates to site 4,5, and 6. It would only be fair to use a site in a different area such that the impact on residential areas is dispersed.

Finally, ~~the last concern relates to sites 4, 5, and 6. The concern is flooding.~~ We had a major flood last winter as we all know. This will happen again, we just do not know when or to what extent. Marine drive was closed for 1-2 weeks during this past flood. The military even removed some jets from the airport to a parking lot on Columbia blvd. Interlachen In received notices for possible evacuation. Most, if not all of the floating communities had to evacuate. Why, with 45-55 million dollars of tax payer money, take a gamble and build close to Marine drive and the Columbia river. Evacuating the inmates would be a disaster, especially if we are short space currently. I realize there is a lot of development along Airport way/Marine drive corridor; however, private ownership is taking the risk, and if their hotels or stores flood they take the loss. We would have to find a place for the inmates, during the flood and while we renovate the facility. Why waste all this effort and tax payer money? Pick a site with no flood potential!

Thank you,



Sean Finn

Sean Finn  
21001 NE Interlachen Ln  
Troutdale, OR 97060  
665-4897

Siting Advisory Committee  
Dan Oldham  
Multnomah County Sheriff's Dept.  
12240 NE Glisan Street  
Portland, OR 97230

This letter is a follow up letter in response to the first SAC meeting. I attended and spoke to the committee. I missed the second meeting due to family responsibilities; however I will attend the next meeting and criteria work shops. I appreciate very much the opportunity to be heard. Interlachen lane, my neighborhood, circles between Blue and Fairview lakes. We have concern with sites number 4,5, and 6; number 6 being our main concern. I know in the future the SAC will be developing criteria for choosing a site. This letter will contain some ideas on what criteria are important.

~~The first and main criteria concern is residential impact.~~ When you have an opportunity to visit site 6, I challenge you to walk up along Marine drive and you will see 300-400 floating homes along the Columbia river. This site is in their front yard! Take a drive around Interlachen Ln. and through Fairview Lake Estates. The Blue and Fairview lakes area, which contain many high dollar housing projects already built and being built, is a short distance to the east of site 6. Site 6 is surrounded by residential neighborhoods on both the north and east sides. We moved out in this area to be away from negative growth such as prisons. We pay very high property taxes, because our area is considered a prime area. Please keep it that way! ~~Site 6, according to the individual SAC site maps, actually contains a section of Columbia river waterfrontage which would be between two of the floating home communities. The map may be wrong because I know the taxpayers would never want to buy prime waterfront property for a prison.~~ The waterfrontage should be used for floating home developments or recreational uses. Even so, the site is way to close to these neighborhoods. Pick a site that has the least impact on residential areas and future residential growth, somewhere in the middle of already developed industrial areas. Site 6 is located in an area where future residential growth will be affected, but may not be seen with a simple site visit. Much of this growth is already planned and underway.

~~The second criteria concern is the fact that Portland Metro has decided that the urban growth boundary should not just keep expanding, but we should limit growth.~~ We should be satisfied with living closer together, on smaller lot sizes. This would create an atmosphere where we would live closer to the city and need to drive less to work. I think it is a great idea to make better use of the land close in toward the city, than to just keep expanding the boundary. ~~However, the Sheriff's Office wants a 60 acre campus style prison out in the Marine drive/ Airportway corridor? We should use our valuable resources much more carefully. This is prime real estate which could bring in valuable businesses to our community.~~ The prison does not offer anything but jobs. This area does not need any extra jobs or another prison. What it does need is more attractive business growth which would provide a stronger tax base. Portland schools are broke! Nike offered to help bail the taxpayers out of this national embarrassment. We need more tax revenue! Do not use our prime land for a prison that will not contribute to that need. Use land which has a degraded value, where the tax base generation would not be as great. I am not proud of our broke school situation. Transportation of inmates to and from the downtown courthouse was a big concern for the Sheriff. Why not build one near the courthouse? A tower prison must be more efficient to operate than a spread out style. Tower style would at least save land under the growth boundary limitation plan. A parking garage underneath for seized vehicles. This would be more costly upfront, however ; in the long run it would decrease costs of transportation and create a more efficient land use under our growth boundary limitation plan. The inmates take away from society, do we use some of our best land and place the prison in neighborhoods of the society they harm. Find a location near the courthouse or pick a site already suggested that is not prime land, or near neighborhoods.

~~The third criteria concern is the fact that Inverness jail is relatively close.~~ The SAC should be representing the taxpayers. ~~The fact that the Sheriff's Office wants the jail close to Inverness should not be important criteria.~~ The prison should not be placed in a residential area or on prime land because it is a convenient location for the Sheriff! We feel that another facility even closer would only hurt our residential area that much more. This relates to site 4,5, and 6. It would only be fair to use a site in a different area such that the impact on residential areas is dispersed. The SAC must develop criteria that is positive for the taxpayers, since we pay for the prison and the staff to operate and maintain it. The taxpayers would be happy to pay extra to keep it away from them.

#### Summary of Criteria:

- 1) Residential Impact
- 2) Land Use Economics
- 3) What IS Best For The Tax payers

Thank You,

Sean Finn

# Analysis of costs for jail makes east county illogical site



Volney Faw, a resident of Northeast Portland, is a retired professor of psychology from Lewis & Clark College.

By VOLNEY FAW

Considerable emotion has been generated over the selection of a site for the expanded (Multnomah County) jail facilities. It is understandable that no one wants it in his residential neighborhood for a variety of legitimate reasons.

A hard-nosed criteria for selecting a site is cost. This we can all agree upon because it will affect our taxes for years to come.

It is useful to differentiate three types of cost for each of the proposed sites.

First, initial costs consist of the cost of the site, construction costs and other one — time expenses. This could be estimated for each of the proposed sites and compared. I would conjecture that the differences between sites would not be all that great when compared with indirect long-term costs. These latter costs are the ones that will bite into our purses year after year.

Next, indirect long-term costs, which are repeated year after year, need to be carefully considered.

Costs of transferring prisoners increases proportional to the distance. This makes sites in east county very expensive because traffic problems will increase over the years and costs will accelerate and accumulate.

Depreciation of adjacent land values will lower property taxes and generate an accumulating loss to the county. Since such a depreciation is greater in residential areas in comparison to adjoining commercial or industrial property, east county sites would be inadvisable compared to the Northwest Front Street site.

Loss of income taxes results from failure to use the property to its maximum potential for generating jobs. The new jail is projected to employ 80 people — minuscule in comparison to the maximum development of the south shore property along Sandy Boulevard. Loss of income taxes goes on year after year after year and accumulates. Such losses cause the misuse of the property to be very expensive over the long haul.

## MY TURN

Then there are contingency costs.

It has been reported that the Columbia south shore site is on a flood plain and over an earthquake fault. Not only are initial costs to build increased by such conditions, but the possibility of such a facility being flooded or shaken down increases over coming years. Judging from the flooding of last year, this is not inconceivable. Replacement costs would be prohibitive. This should be factored in as a potential cost when choosing a site.

County commissioners have a bear by the tail in locating the hot potato. They have a large number of irate voters who live in east county — stirred up by the fact that 85 percent of jail facilities would be located in their neighborhoods if projected plans were carried out.

Political expediency would suggest that they select the site along front street or near the Justice Center — not east county. Such a decision is justified on the basis of lower long-term costs outlined above and making the most voters happy.

*We want to hear from you. If you have an issue you'd like to discuss in My Turn, please submit your column to the MetroEast Bureau of The Oregonian. If mailing or faxing your material, a signature, street address and daytime telephone number are required. My Turn material should be written exclusively for The Oregonian and is subject to editing. Write: MetroEast Bureau, The Oregonian, P.O. Box 1398, Gresham, Ore. 97030, or fax us at 667-9973.*

# Columbia corridor seen bad in quake

■ An expert says sandy soil along the river could liquefy, causing damage to structures

By ERIC GORANSON  
of The Oregonian staff

MAY 20,  
1993

The sandy soil found along the Columbia River is most likely to liquefy if a major earthquake hits the Portland area.

And the masonry and tilt-up concrete commercial structures going up in the Columbia corridor are the buildings most likely to sustain the most damage, two experts told a business group Wednesday.

The warnings came Wednesday from two consulting engineers and geologists and were the last thing members of the Columbia Corridor Association, an organization promoting economic development in the area, wanted to hear.

However, David Driscoll of Geotechnical Resources Inc. said steps such as using the proper design and doing soil studies can lessen the chances of major damage happening.

Driscoll spoke at the association's monthly meeting because part of the corridor is being considered for an earthquake zone. And more business owners are concerned about the immediate and future influence of earthquakes following the March 25 earthquake that damaged several communities in the northern Willamette Valley.

Driscoll said large or nearby earthquakes turn solid soil into quicksand. The longer the ground shakes, the more likely it will happen. Structures don't sink, they just flow away, he said.

Duration of the quake, soil compaction, texture and depth and the presence of water all influence the degree of damage.

Dredged dirt from rivers is the most susceptible to becoming quicksand during an earthquake, Driscoll said, but much of the soil used at Portland International Airport has been compacted, lessening the danger.

# STATE WIDE GOAL 7 NATURAL HAZARDS and land-use planning

The dredged soil covers a clay and silty layer more than 35 feet thick which, in turn, sits atop another sand and silty layer. The clay layer is stable, but the water-saturated bottom layer is susceptible to becoming quicksand.

The thinner the soils, the greater the danger, Driscoll said. The thicker the clay layer, the less likely the bottom layer will liquefy because of the weight over it.

If the ground drops evenly, there should not be much danger, Driscoll said. But if it happens unevenly, buildings will be damaged.

"I don't see a huge amount of danger to well-designed buildings falling down. Pieces of it, yes, not the building," Driscoll said. "I don't envision the land flowing away forever like chocolate pudding," he added.

The biggest danger, he warned, is along Marine Drive and other riverfront areas where the steep slopes may lead to part or all of the dike sliding away.

Driscoll said his biggest fear was overreacting to the March 25 quake that shook the Northwest. The quake measured 5.6 on the Richter scale.

Local, small quakes happen periodically. One area along the Columbia River in mid-Multnomah County has shifted the ground 500 feet vertically over long, long periods of time due to earthquakes.

Aug 7 1990

## FLOOD REPORT

A federal report says Oregon flood plain maps need rewriting, dikes need upkeep and emergency response needs improvement.

The Federal Emergency Management Agency report also recommends tougher building regulation enforcement, reopening many stream measurement stations along rivers, and making it easier to inspect flood-ravaged buildings.

The report analyzed the effects of February flooding that proved to be the worst in state history in some areas.

If followed, the proposals would lead to changes in how the government regulates forest practices, stream flow and real estate sales, how it reviews building permits and how it manages the huge logs that clog rivers and streams.

The cost of putting the recommendations into effect is unknown, although one state official pegged it at several hundred million dollars.

Chuck Steele, the FEMA official who headed the multiagency report, is optimistic that state and local authorities will take the recommendations seriously.

"The governor has set up a mitigation policy task force and heads of state agencies attend every one of the meetings," Steele said.

"There's a real show of force."

The report said the weeklong disaster in February caused \$280 million in damage to public and private facilities statewide.

Failure to maintain dikes may have made flooding worse, the report said.

Most of the flood damage struck older homes, built before government started controlling development in flood-prone areas in the 1970s and early 1980s.

The report urges federal and local officials to pool resources to reopen many of the stream-flow gauging stations that were closed because of budget cuts.

\* The state Office of Emergency Management recently found support for mitigation projects, such as buying out or elevating flood-prone homes.

"I got back letters of interest for 300 projects totaling \$140 million, and my budget is \$13 million," said Dennis Sigrist of the emergency management office.

FROM "THE GREAT FLOOD OF 1996"

by GEORGE H. TAYLOR, STATE CLIMATOLOGIST

Site Name	Precipitation (in.)	SWE Loss (in.)	Total (in.)	River Basin	Elevation (feet)
Quartz Peak	1.4	4.5	5.9	Klamath	5700
Red Hill	14.5	5.4	19.9	Hood	4400
Saddle Mountain	20.4	14.0	34.4	Tualatin	3250
Salt Creek Falls	10.2	3.0	13.2	Willamette	4000
Seine Creek	14.0	8.0	22.0	Tualatin	2000
Three Creeks	6.5	2.4	8.9	Deschutes	5650

Streams rose quickly on the 6th and 7th, reaching flood stage in many locations. At Vida on the McKenzie River, the flow jumped from 4,000 cfs on the 5th to over 20,000 cfs on the 6th. Major and minor tributaries throughout western Oregon jumped their banks. Gradually the levels in the major tributaries and the main stem rivers increased as well. Several set all-time flood stage records. The table below is a summary of 1996 crests, as well as all-time records, for rivers throughout northern Oregon; new record levels are in bold (courtesy Oregon chapter of American Meteorological Society).

WESTERN OREGON:

River/site	Flood stage (feet)	1996 crest (feet)	All-time record	Year
Columbia at Vancouver	16.0	27.2	31.0	1948
Willamette at Portland	18.0	28.6	33.0	1894
Willamette at Salem	28.0	35.1	47.0	1891
Willamette at Corvallis	20.0	23.5	32.4	1891
Sandy near Sandy	-	22.6	22.3	1964
Clackamas at Estacada	10.0	17.4	18.4	1964
Johnson Cr. at Sycamore	11.0	13.8	14.7	1964
Tualatin at Farmington	32.0	37.2	37.0	1933
Molalla at Canby	13.0	14.6	16.8	1964
Pudding at Aurora	22.0	30.5	30.0	1923
S. Yamhill at Whiteson	38.0	47.5	47.2	1964
N. Santiam at Mehama	11.0	15.4	17.5	1923
Santiam at Jefferson	15.0	23.2	24.2	1964
Luckiamute at Suver	27.0	33.0	34.5	1964
Nehalem at Foss	14.0	27.4	24.9	1990
Wilson at Tillamook	13.0	18.1	n.a.	n.a.
Nestucca at Beaver	18.0	18.2	n.a.	n.a.
Siletz at Siletz	16.0	24.5	31.6	1921

EASTERN OREGON:

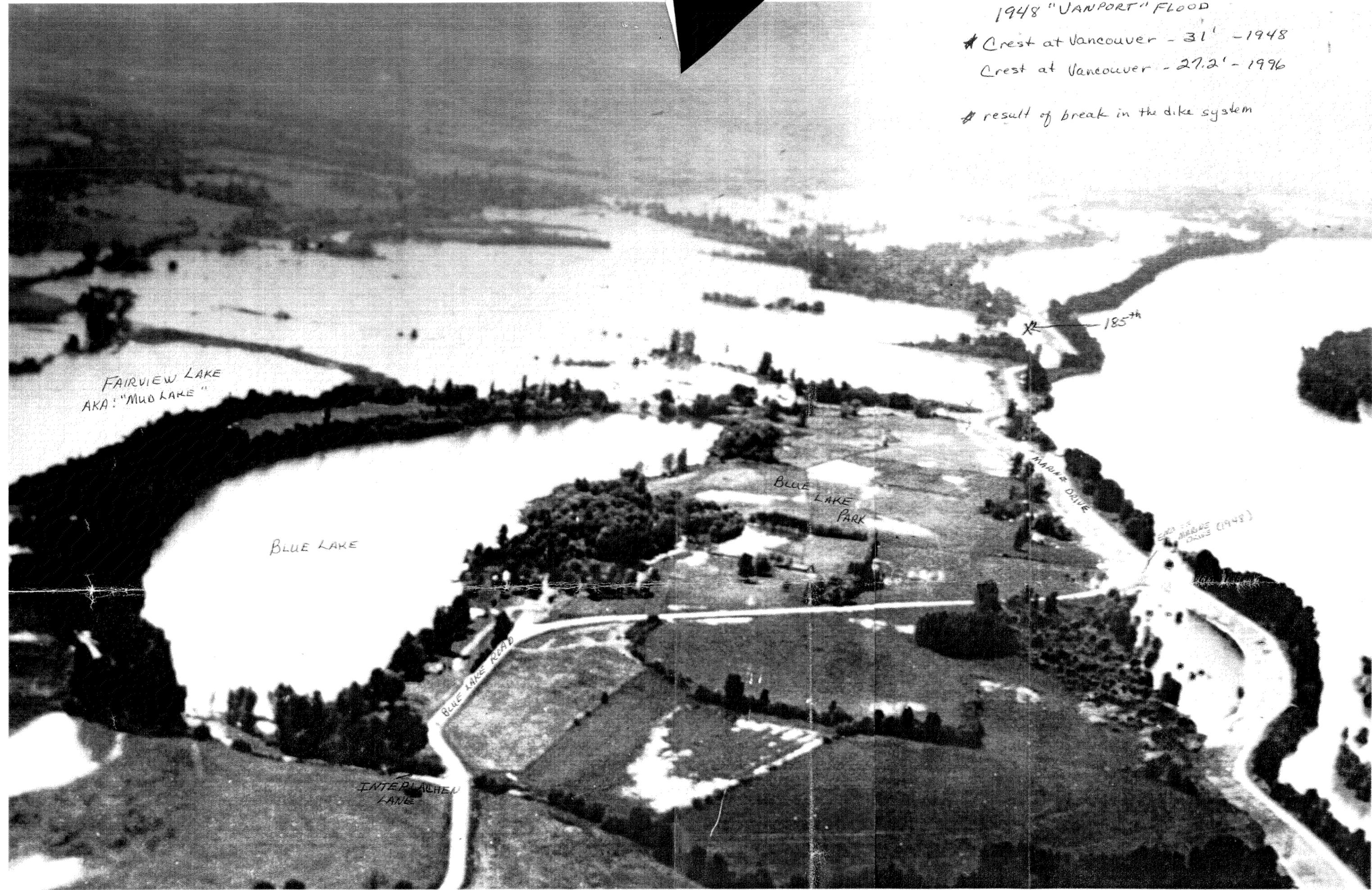
River/site	Flood stage (feet)	1996 crest (feet)	All-time record	Year
John Day at Service Creek	11.5	14.0	n.a.	n.a.
Umatilla at Pendleton	7.8	11.0	n.a.	n.a.
Grande Ronde at Troy	10.0	13.6	11.3	1964
Deschutes at Moody	8.0	12.0	n.a.	n.a.

1948 "VANPORT" FLOOD

\* Crest at Vancouver - 31' - 1948

Crest at Vancouver - 27.2' - 1996

\* result of break in the dike system



FAIRVIEW LAKE  
AKA: "MUD LAKE"

BLUE LAKE

BLUE LAKE  
PARK

MARINE DRIVE

X ← 185<sup>th</sup>

END OF MARINE DRIVE (1948)

BLUE LAKE ROAD

INTERLACHEN LANE



FLOOD OF 1996 (FEBRUARY)

# " LIQUEFACTION "

**FEB 17 1995**  
**Quake experts say earth  
liquefies as deep as 30 feet**

TOKYO — Last month's earthquake in western Japan shifted the earth along at least eight fault lines, turning the ground into a type of quicksand in many areas, scientists said Thursday.

Investigators have found that earthquakes can cause earth to turn to a type of liquid at much deeper levels than previously believed.

The Kobe quake showed that liquefaction can occur at more than 30 feet deep. A report quake experts at ~~Osaka City University~~ found that the ground turned to liquid at unexpected depths in at least 15 places, allowing buildings to collapse, sink into the ground or simply fall over.

# Plan for natural and fiscal disasters

12/31/94 Congress should take steps to see  
that federal disaster aid doesn't increase deficit

Natural disasters are bad enough, but Congress has made matters worse by the way it funds — or, more aptly, fails to fund — disaster aid. It has added to the long-term, slow-motion disaster that is the federal budget deficit and national debt.

That could change if the next Congress gets cracking on the recent recommendations of the bipartisan congressional task force on disasters.

Lots of lawmakers have become fed up with the hyperpoliticized and fiscally irresponsible way Congress provides emergency relief in natural disasters. That's not surprising, considering that Congress has had to shell out more than \$1 billion each for the nine natural disasters since 1989.

Other figures may be even more revealing than that billion-dollar price tag. Federal responsibility for disaster costs has gone from about 5 percent in the early 1950s to more than 90 percent today.

Among the task force's 55 recommendations are proposals that should better share the burden with homeowners, insurers, states and localities. Homeowners with federally backed mortgages (nearly all mortgages) would have to purchase "all-hazard" insurance, which covers damage from floods and earthquakes.

As a condition of federal assistance, states and localities would have to enforce model building codes, and safety

and siting ordinances. The task force recommends a limited tax deduction for taxpayers who retrofit a structure to meet these standards.

To fund federal disaster relief efforts in the future, the panel would endow a federal trust fund with a 1 percent fee on property insurance premiums. It would also offer incentives for states to set up similar funds.

Many of the recommendations make sense, and all deserve consideration.

One recommendation that was missing — and pushed by task force member Rep. Elizabeth Furse — should be considered as well. The Oregon Democrat thinks Congress should pass legislation saying that if any funds are appropriated beyond those in the trust fund, Congress must provide that, by a date certain in the same or succeeding fiscal year, proposals to ensure deficit neutrality be considered.

This, too, makes sense. As Furse has noted, it allows aid to get to affected areas as soon as possible, while removing the incentive for members to play politics with disaster aid. Congress would have to pay for any additional aid in the near future.

This and the task force's recommendations can save dollars and save lives in future emergencies. Not bad. Who says Congress produces nothing but disasters these days?

## OREGONIAN EDITORIAL

MEETING DATE: NOV 14 1996

AGENDA #: R-2

ESTIMATED START TIME: 9:30

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT:

BOARD BRIEFING:

DATE REQUESTED:

REQUESTED BY:

AMOUNT OF TIME NEEDED:

REGULAR MEETING:

DATE REQUESTED: November <sup>14</sup>7, 1996

AMOUNT OF TIME NEEDED: 10 minutes

DEPARTMENT: Nondepartmental

DIVISION: Chair's Office

CONTACT: Sharon Timko

TELEPHONE #: 3960

BLDG/ROOM #: 106/1515

PERSON(S) MAKING PRESENTATION: Sharon Timko

ACTION REQUESTED:

INFORMATIONAL ONLY    POLICY DIRECTION    APPROVAL    OTHER

SUGGESTED AGENDA TITLE:

11/14/96 ORIGINALS to SHARON TIMKO

SIGNATURES REQUIRED:

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

*Beverly Stein*

BOARD OF  
COUNTY COMMISSIONERS  
96 NOV - 1 PM 3:19  
MULTNOMAH COUNTY  
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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

MEMORANDUM

TO : BOARD OF COUNTY COMMISSIONERS  
FROM : Sharon Timko, Staff Assistant *Sharon*  
DATE : October 31, 1996  
RE : IGA Transferring Responsibility For Managing the Historic Columbia River Interpretive Sign Project to ODOT.

REQUESTED PLACEMENT DATE: November 7, 1996

I. Recommendation/Action Requested:

Approval

II. Background/Analysis:

Multnomah County joined with the USDA Forest Service, Oregon State Parks, Hood River County Visitors Council, Friends of Vista House, and City of Troutdale to design, construct, install, and maintain 36 interpretive panels along the Historic Columbia River Highway. Due to the County's ability to secure Regional Strategies funding, the County was the project manager for the design phase of the project. ODOT agreed to be the project manager during the construction and installation phase of the project. A design plan for the interpretive signs has been completed. This IGA transfer responsibility for construction and installation of the signs and \$4,930 in match funding to ODOT.

III. Financial Impact:

The funds for the design work and match have been provided by our partners and grants. Multnomah County contributed only in-kind staff support to the project. Each agency or organization through an IGA have agreed to maintain the interpretive signs located in their jurisdiction. Multnomah County will have two signs, one located in Springdale and the other in Corbett. Since Springdale and Corbett are unincorporated communities, the Multnomah County Transportation Department has agreed to maintain these two signs.

IV. Legal Issues:

N/A

V. Controversial Issues:

N/A

VI. Link to Current County Policies:

The interpretive signs focus on the historic, cultural, recreational and natural resources of the area. This is in concert with our Land Use Comprehensive Framework Plan Policy 16-I, Historic Resources.

VII. Citizen Participation:

Interested citizens have had several opportunities to comment on the text and design of the signs. No citizen testimony is anticipated.

VIII. Other Government Participation:

The USDA Forest Service, Oregon State Parks and City of Troutdale are participating in the project.



**CONTRACT APPROVAL FORM**  
(See Administrative Procedure #2106)

MULTNOMAH COUNTY OREGON

Contract # 500427  
Amendment # \_\_\_\_\_

<p><b>CLASS I</b></p> <p><input type="checkbox"/> Professional Services under \$25,000</p>	<p><b>CLASS II</b></p> <p><input type="checkbox"/> Professional Services over \$25,000 (RFP, Exemption)</p> <p><input type="checkbox"/> PCRFB 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><b>CLASS III</b></p> <p><input checked="" type="checkbox"/> Intergovernmental Agreement</p> <p>APPROVED MULTNOMAH COUNTY BOARD OF COMMISSIONERS</p> <p>AGENDA # <u>R-2</u> DATE <u>11/14/96</u></p> <p><u>DEB BOGSTAD</u></p> <p>BOARD CLERK</p>
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Department Nondepartmental Division Chair's Office Date 10/31/96

Contract Originator Sharon Timko Phone X-3960 Bldg/Room 106/1515

Administrative Contact Delona Farrell Phone X-3953 Bldg/Room \_\_\_\_\_

Description of Contract Transferring responsibility and funds for managing the and completing the Historic Columbia River Highway Interpretive Sign Project

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

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

Contractor Name Oregon Dept. of Transportation  
Mailing Address 123 NW Fladness  
Portland, OR 97209-4037  
Phone \_\_\_\_\_  
Employer ID# or SS# \_\_\_\_\_  
Effective Date Upon signatures  
Termination Date \_\_\_\_\_  
Original Contract Amount \$ 140,000 (County's contribution)  
Total Amount of Previous Amendments \$ 4,930  
Amount of Amendment \$ \_\_\_\_\_  
Total Amount of Agreement \$ \_\_\_\_\_

Remittance Address \_\_\_\_\_  
(If Different) \_\_\_\_\_

Payment Schedule \_\_\_\_\_ Terms \_\_\_\_\_

Lump Sum \$ 4,930  Due on receipt

Monthly \$ \_\_\_\_\_  Net 30

Other \$ \_\_\_\_\_  Other \_\_\_\_\_

Requirements contract - Requisition required.

Purchase Order No. \_\_\_\_\_

Requirements Not to Exceed \$ \_\_\_\_\_

Encumber: Yes  No

Date October 31, 1996

Date \_\_\_\_\_

Date 10-1-96

Date November 14, 1996

Date \_\_\_\_\_

**REQUIRED SIGNATURES:**

Department Manager Beverly Stein

Purchasing Director \_\_\_\_\_  
(Class II Contracts Only)

County Counsel Sandra Duffy

County Chair / Sheriff Beverly Stein

Contract Administration \_\_\_\_\_  
(Class I, Class II Contracts Only)

VENDOR CODE			VENDOR NAME						TOTAL AMOUNT \$		
LINE NO.	FUND	AGENCY	ORGANIZATION	SUB ORG	ACTIVITY	OBJECT/REV SRC	SUB OBJ	REPT CATEG	LGFS DESCRIPTION	AMOUNT	INC/DEC IND
01.	156	050	9765		2336						
02.											
03.											

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

INSTRUCTIONS ON REVERSE SIDE

WHITE - CONTRACT ADMINISTRATION CANARY - INITIATOR PINK - FINANCE

LOCAL AGENCY AGREEMENT  
ENHANCEMENT PROGRAM PROJECT

THIS AGREEMENT is made and entered into by and between THE STATE OF OREGON, acting by and through its Department of Transportation, hereinafter referred to as "State"; and MULTNOMAH COUNTY, a political subdivision of the State of Oregon, acting by and through its Board of Commissioners, hereinafter referred to as "County".

1. By the authority granted in ORS 190.110, 366.770 and 366.775, State may enter into cooperative agreements with counties, cities, or units of local government for the performance of work on certain types of improvement projects with the allocation of costs on terms and conditions mutually agreeable to the contracting parties.
2. Under provisions of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), Oregon is required to set aside federal funds for projects to address transportation enhancement activities.
3. Under said provisions, County has provided a production ready design plan for the fabrication of historic interpretive panels (signs) and a design plan for the pedestal mounts to display the panels. The panels will be installed at various locations on the Historic Columbia River Highway, hereinafter referred to as "project". The proposed list of panel locations is attached hereto, marked Exhibit A, and by this reference made a part hereof.
4. The project shall be conducted as a part of the Enhancement Program under Title 23, United States Code, and the Oregon Action Plan. The total project costs are estimated at approximately \$140,000 and will be financed with a maximum of \$48,000 Enhancement funds (including County's 10.27 percent, \$4,930 match) and with a maximum amount of \$100,000 in Forest Highway funds available to State. In no case will the combined amount of \$148,000 be exceeded without a supplement to this agreement as mutually agreed upon by both County and ODOT.
5. County previously entered into an intergovernmental agreement, executed on July 1, 1996, with USDA Forest Service, Oregon State Parks, Hood River County Visitors Council, and City of Troutdale, for the design, construction, installation, and maintenance of interpretive panels within their respective jurisdictions, marked Exhibit B, and by this reference made a part hereof.

6. The County and State agree that this project is subject to the following conditions:

- A. Enhancement and Forest Highway funds may be used for all phases of the project, including preliminary engineering, construction and installation.
- B. State shall submit a program to FHWA and/or FTA (if required) with a request for approval of federal-aid participation in all engineering, right-of-way acquisition, eligible utility relocations and construction work for the project. NO WORK SHALL PROCEED ON ANY ACTIVITY IN WHICH FEDERAL-AID PARTICIPATION IS DESIRED UNTIL SUCH APPROVAL HAS BEEN OBTAINED. The program shall include services to be provided by State, County or others. State shall notify County in writing when authorization to proceed has been received from the FHWA and/or FTA.
- C. The necessary design work required to produce a production-ready design plan for the interpretive panels was conducted by the County, or its consultant, at County's expense.
- D. State and County agree that the minimum design standards shall be the recommended AASHTO Standards, unless otherwise requested by County and approved by State.
- E. State shall, at project expense, review all environmental statements, preliminary and final plans, all specifications and cost estimates, and assign a liaison person to monitor the project. State shall, also at project expense, prepare contract and bidding documents, advertise for bid proposals, award all contracts, perform all construction engineering, and make all contractor payments required to complete the project. State shall forward to County, bills for their portion of the manufacture and installation costs. Information on all expenditures shall be forwarded to County.
- F. County or its consultant shall review the final specifications for sign fabrication and sign installation, prior to State bidding and awarding the project. The County or its consultant shall be included in the pre-qualification screening of potential contractors.
- G. State agrees that, if the bid cost to manufacture and install the panels exceeds \$148,000, the State will convene a meeting of the parties mentioned in the above referenced agreement to determine which panels will not be manufactured and installed at this time. No additional funds, beyond those outlined in the Recitals of this agreement and in the Scope of Work, marked

Exhibit C, and by this reference made a part hereof, will be required of any party.

- H. If the project costs do not exceed a maximum amount of \$48,000, State shall reimburse to County a portion of its matching funds accordingly.
- I. If for any reason there should be any federally nonparticipating costs incurred on this project, both County and ODOT shall negotiate coverage for said costs and enter into a subsequent supplement to this agreement before said costs are incurred.
- J. County shall comply with all applicable State, Federal, and Local laws, rules, regulations and ordinances, including but not limited to those pertaining to Civil Rights.
- K. State shall, upon completion of project, maintain the portion of the project panels within State's jurisdiction at its own cost and expense and at a minimum level that is consistent with normal depreciation and/or service demand.
- L. County shall, upon completion of project, maintain the panels in Corbett and Springdale at their own cost and expense and at a minimum level that is consistent with normal depreciation and/or service demand. (See Exhibit B).
- M. The contractor, its subcontractors, if any, and all employers under the Oregon Workers' Compensation Law, shall comply with ORS 656.017, which requires them to provide workers' compensation coverage for all their subject workers.
- N. If as a condition of assistance the County has submitted and the U.S. Department of Transportation has approved a Minority Business Enterprise Affirmative Action Program which the County agrees to carry out, this affirmative action program is incorporated into this financial assistance agreement by reference. That program shall be treated as a legal obligation and failure to carry out its terms shall be treated as a violation of this financial assistance agreement. Upon notification to the County of its failure to carry out the approved program, the U.S. Department of Transportation shall impose such sanctions as noted in Title 49, Code of Federal Regulations, Part 23, Subpart E, which sanctions may include termination of the agreement or other measures that may affect the ability of the County to obtain future U.S. Department of Transportation financial assistance.

O. The parties hereto agree and understand that they will comply with all applicable statutes and regulations, including but not limited to Title 49 CFR, Parts 23 and 90, Audits of State and Local Governments; Title 41, USC, Anti-Kickback Act; Title 23, USC, Federal-Aid Highway Act; 42 USC, Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1987; provisions of Federal-Aid Policy Guide (FAPG), Title 23 Code of Federal Regulations (23 CFR) 1.11, 130, and 140; and the Oregon Action Plan.

P. County certifies by signing this agreement that:

- 1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with 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.
- 2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- 3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, and contracts and subcontracts under grants, subgrants, loans, and cooperative agreements) which exceed \$100,000, and that all such subrecipients shall certify and disclose accordingly.
- 4) This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, U. S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

County shall enter into and execute this agreement during a duly authorized session of its Board of County Commissioners.

The County agrees that this agreement shall become null and void if the funds for this project are not obligated for construction within 2 calendar years from the date this agreement has been fully executed.

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

This project was approved by the Oregon Transportation Commission on September 13, 1995 as part of the 1996-1998 Statewide Transportation Improvement Program, page 35.

On March 7, 1996 the Oregon Transportation Commission adopted Delegation Order 2, which grants authority to the Region Manager to approve and execute agreements for work in the current Statewide Transportation Improvement Program.

APPROVAL RECOMMENDED

By *Grant B. K...*  
HCRH Coordinator

APPROVED AS TO  
LEGAL SUFFICIENCY

By \_\_\_\_\_  
Asst. Attorney General

REVIEWED:

By *Sandra Rupp*  
County Counsel

Date 10-30-96

STATE OF OREGON, by and through  
its Department of Transportation

By *Paul Davis*  
Region Manager

Date 10/2/96

MULTNOMAH COUNTY, By and  
through its Elected Officials

By *Melley Stein*  
Chair

Date November 14, 1996

APPROVED MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # R-2 DATE 11/14/96  
DEB BOGSTAD  
BOARD CLERK

## EXHIBIT A

- Panel #1: Troutdale #1
- Panel #2: Troutdale #2
- Panel #3: Lewis and Clark State Park
- Panel #4: Dabney State Park
- Panel #5: Springdale
- Panel #6: Corbett
- Panel #7: Women's Forum #1
- Panel #8: Women's Forum #2
- Panel #9: Vista House
- Panel #10: Rooster Rock State Park
- Panel #11: Guy Talbot State Park
- Panel #12: Latourell Falls #1
- Panel #13: Latourell Falls #2
- Panel #13: Latourell Falls #3
- Panel #14: Bridal Veil Park #1
- Panel #15: Bridal Veil Park #2
- Panel #16: Bridal Veil Park #3
- Panel #17: Bridal Veil Park #4
- Panel #18: Oneonta Gorge
- Panel #19: Oneonta/Horsetail Wetlands
- Panel #20: Moffett Creek
- Panel #21: Toothrock
- Panel #22: Eagle Creek Campground
- Panel #23: Eagle Creek Overlook
- Panel #24: Ruckel Creek
- Panel #25: Starvation Creek
- Panel #26: Viento
- Panel #27: Mitchell Point
- Panel #28: Ruthton Point
- Panel #29: Hood River #1
- Panel #30: Hood River #2
- Panel #31: Mosier Tunnels West
- Panel #32: Mosier Tunnels East
- Panel #33: Memaloose Overlook
- Panel #34: Rowena Crest #1
- Panel #35: Rowena Crest #2
- Panel #36: Rowena Crest #3

## INTERGOVERNMENTAL AGREEMENT

This Agreement is entered into on this 14th day of March, 1996 under the authority and intent of ORS 190.003 to 190.110 between Multnomah County (COUNTY), USDA Forest Service (FS), Oregon Parks and Recreation Department (STATE PARKS), Hood River County Visitors Council (HRCVC), and the City of Troutdale (TROUTDALE) to provide a basis for a cooperative working relationship to improve the Historic Columbia River Highway (HCRH) as a visitor attraction and historic resource.

### RECITALS:

- A. Prior to entering into this Agreement, the parties cooperated in developing a grant request for construction of interpretive panels along the HCRH (the "Project" herein). The COUNTY agreed to coordinate the disbursement of funds granted by the Oregon Regional Strategies Section of the Oregon Economic Development Division, and signed the contract with the Oregon Economic Development Division for the Project.
- B. The Project consists of constructing a series of interpretive panels along the HCRH in Multnomah, Hood River, and Wasco Counties. The panels will interpret the outstanding cultural, historical, and natural resources of the highway and surrounding areas.
- C. By signing this Cooperative Agreement, the FS, STATE PARKS, TROUTDALE, and HRCVC agree to abide by the commitments made by the COUNTY in its contract with the State for the Project (See Exhibit 1).

### IT IS AGREED:

1. Contributions. FS, STATE PARKS, and HRCVC have contributed the matching funds necessary to secure the grant provided by Oregon Economic Development Division. County has contributed administrative staff to develop project.
2. Design. COUNTY, FS, STATE PARKS, HRCVC, and TROUTDALE shall cooperate in the design of all proposed interpretive signs along the HCRH, in order to provide consistency with the Columbia River Gorge National Scenic Area Signage Program.
3. Administration.
  - A. COUNTY shall coordinate development of the Project.

- B. COUNTY shall administer the grant received from the Oregon Regional Strategies Division, including contracting with the State and documenting expenditures.
- C. COUNTY shall administer the financial contributions of the other parties to this Agreement.
- D. COUNTY shall use available Oregon Regional Strategies Grant funds to design the interpretive panels.
- E. COUNTY shall administer any Professional Service Contracts with the participation of all parties in the development and approval of any Requests for Proposals (RFP's) and selection of the contractor and subcontractor.
- F. All parties agree to follow Equal Employment Opportunity guidelines and consider disadvantaged, minority, women, and emerging small businesses enterprises under ORS 200.005 to 200.075.
- G. Subject to the limitations and conditions of the Oregon Tort Claims Act, ORS 30.260 through 30.300, and Article XI, Section 7 of the Oregon Constitution, the parties agree to indemnify and hold one another harmless from any loss, damage, injury, claim, or demand arising from their respective actions in connection with this agreement. No party shall be liable for any loss, damage, injury, claim, or demand arising from the negligence of the other party or its agents or employees.

4. Maintenance.

- A. COUNTY shall maintain and replace, as needed, signs located in the communities of Corbett and Springdale.
- B. FS shall maintain and replace, as needed, signs located on USDA Forest Service lands at Oneonta Gorge, Oneonta/Horsetail Wetlands, Eagle Creek Campground, Eagle Creek Overlook, and Ruckel Creek.
- C. STATE PARKS shall maintain and replace, as needed, signs located on State Parks lands at Lewis and Clark, Dabney, Women's Forum, Vista House, Rooster Rock, Guy Talbot, Latourell Falls, Bridal Veil, Viento, Starvation Creek, Mitchell Point, Mosier Tunnels, and Rowena Crest.
- D. HRCVC shall maintain and replace, as needed, the two signs located in the city of Hood River.

E. TROUTDALE shall maintain and replace, as needed, signs located on city lands.

Multnomah County

By: Beverly Stein  
Beverly Stein  
Multnomah County Board of  
County Commissioners

Date: 7/1/96

Oregon Parks & Recreation Dept.:

By: Jack Wiles  
Jack Wiles, Area 5 Manager  
Oregon Parks & Recreation Dept.

Date: 3/7/96

USDA Forest Service

By: Art Carroll  
Art Carroll, Manager  
Columbia River Gorge National  
Scenic Area

Date: 3/25/96

City of Troutdale

By: Paul Thalhoffer  
Paul Thalhoffer, Mayor  
City of Troutdale

Date: 6-26-96

Hood River County Visitors Council

By: Carol Jensen  
~~David R. Jensen~~ Carol Jensen, President  
Hood River County Visitors Council

Date: 6/15/96

REVIEWED:  
LAURENCE KRESSEL, COUNTY COUNSEL  
for Multnomah County, Oregon

By: Sandra Duffy  
Sandra Duffy

Date: 3-6-96

N:\DATA\WP\CENTER\CHAIR\LBST009

Exhibit C  
HCRH Interpretive Signs  
Scope of Work

Background

The Historic Columbia River Highway (HCRH) is located in the Columbia River Gorge National Scenic Area and is on the National Register of Historic Places. There is currently little interpretive information about the Highway and the Gorge available for tourists. This project proposes to provide information in the form of interpretive panels located along the HCRH.

Interpretation was included as a High Priority project in A Study of the Historic Columbia River Highway - 1987. The Columbia River Gorge National Scenic Area Management Plan includes a goal to "increase public understanding and appreciation of the human and natural resources of the Scenic Area, both past and present, through interpretive/educational programs and facilities." The Interpretive Strategy for the Columbia River Gorge National Scenic Area provides detailed recommendations for interpretive themes, facilities, and programs at particular sites in the Scenic Area.

The Proposal

Multnomah County proposes to coordinate the development of a series of interpretive panels to be placed along the HCRH and in the Columbia River Gorge. Multnomah County proposes to work with other partners, including the Columbia River Gorge National Scenic Area Forest Service (Forest Service), Oregon Department of Transportation (ODOT), Oregon Parks and Recreation Department (OPRD), Friends of Vista House, Hood River Visitors Association, and the Historic Columbia River Highway Advisory Committee, to determine locations, develop sign format, text and designs. ODOT will oversee manufacture and installation of the signs. Each party has agreed to maintain signs located on their property. The signs are as listed in Attachment A.

Funding

Funding for this project comes from many sources. The following funds will be used for development of the signs:

OPRD	\$10,000 plus in kind services
HRCVC	\$ 5,000
Friends of Vista House	\$ 2,000
EDD Regional Strategies	\$ 28,360
Forest Service	\$ 5,000 in kind services
Multnomah County	In kind services
ODOT	In kind services

The following funds will be used for manufacture and installation of the signs:

ISTEA Enhancement	\$48,000
(This funding needs to be matched with local funds - \$5,493.8 minimum - 10.27%)	
EDD Regional Strategies	\$10,500 - fabrication* - (Match)
	\$ 7,140 - installation* - (Match)
Forest Highway	\$100,000

\*EDD Regional Strategies grant is a total of \$46,000; see Agreement #500393 and the agreement attached hereto marked 'Exhibit B'.

The Enhancement project begins with the provision of the specifications noted in the paragraph above, to ODOT. ODOT will administer the Preliminary Engineering and construction work for fabrication and installation of the signs.

#### Panel Description

1. Panels will be approximately 25" by 42".
2. Signs will include historic photographs, illustrations, maps and text.
3. Signs will be installed adjacent to parking lots and trails, in locations noted on the attached list.

#### Responsibilities

Multnomah County will:

1. Develop a Request for Proposals, advertise, and select a contractor to develop sign design, text and layout of the signs, including production-ready copy and graphics and specifications. This development will be in coordination with the other parties mentioned above. The contractor will be involved with the manufacture and installation, to oversee the work.
2. Administer Economic Development Fund Regional Strategies Grant.
3. Administer financial contributions of parties other than ODOT and FHWA.
4. Maintain and operate the Springdale and Corbett signs at their own cost and expense and at a minimum level that is consistent with normal depreciation and/or service demand.

ODOT will:

1. Process designs developed by Multnomah County's consultant into bid plans, advertise, award and monitor contracts for manufacture and installation of the signs. This work will be funded by the same sources as manufacture and installation.
2. Will complete the required Regional Strategies Status Reports during the manufacture and installation period.
3. Will forward to Multnomah County bills for their portion of the manufacture and installation costs. Information on all expenditures will be forwarded to Multnomah County.
4. Maintain and operate the Memaloose Overlook, Moffett Creek, Toothrock, and Ruthton Point signs at their own cost and expense and at a minimum level that is consistent with normal depreciation and/or service demand.

All parties agree that, if the cost of manufacture and installation of the signs exceeds the amount of funds available, then ODOT will convene a meeting of the parties to determine which signs will not be manufactured and installed at this time. No additional funds, beyond those outlined above, will be required of any party. Additional funds may be offered, at the discretion of any party.

Meeting Date: NOV 14 1996  
Agenda No: R-3

(Above Space for Board Clerk's Use ONLY)

**AGENDA PLACEMENT FORM**

SUBJECT: \_\_\_\_\_

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

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

REGULAR MEETING: Date Requested: November 14, 1996

Amount of Time Needed: 3 to 5 minutes

DEPARTMENT: MSS DIVISION: Finance

CONTACT: Dave Boyer TELEPHONE #: Ext. 3312

BLDG/ROOM #: 106/1430

PERSON(S) MAKING PRESENTATION: Dave Boyer

ACTION REQUESTED:

INFORMATIONAL ONLY  POLICY DIRECTION  APPROVAL  OTHER

SUMMARY (Statement of rationale for action requested, personnel and fiscal/budgetary impacts, if applicable):

Board Order authorizing advance distribution of funds from the County General Fund to property taxing districts as allowed under ORS 311.392.

*11/14/96 copies to Dave Boyer*

SIGNATURES REQUIRED:

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

OR

DEPARTMENT MANAGER: David A. Boyer

BOARD OF  
COUNTY COMMISSIONERS  
96 NOV - 6 AM 11: 25  
MULTNOMAH COUNTY  
OREGON

**ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES**

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



# 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

## MEMORANDUM

TO: Board of County Commissioners

FROM: Dave Boyer, Finance Director *DB*

DATE: November 5, 1996

Requested Placement Date: November 14, 1996

SUBJECT: Advance Distribution of Property Tax Funds to Districts Receiving \$50,000 or Less

### I. Recommendation/Action Requested:

Approve Board Order authorizing the advance distribution of property tax levies that are \$50,000 or less.

### II. Background/Analysis:

Under ORS 311.392, the County is authorized to pay, in advance, the total property tax levies, less the 3 percent discount, to districts if it is more economical to do so.

The County has historically used the provision to advance pay districts. We have determined that it is more efficient to pay all districts with a levy of \$50,000 or less rather than maintain separate accounts for each district for the next nine to ten years.

This advance payment impacts 22 districts. The total levy amount of \$183,632 is reduced by \$5,509 (3 percent discount) for a total advance of \$178,123.

### III. Financial Impact:

No financial impact to the County. The \$178,123 property tax advance will be collected by the County.

IV. Legal Issues:

None.

V. Controversial Issues:

None.

VI. Link to Current County Policies:

Is consistent with County policy.

VII. Citizen Participation:

None.

VIII. Other Government Participation:

None.

BEFORE THE BOARD OF COUNTY COMMISSIONERS

MULTNOMAH COUNTY, OREGON

In the matter of Authorizing advance )  
distribution of funds from the ) ORDER  
County General Fund to property taxing ) 96-202  
districts as allowed under ORS 311.392. )

It appearing that ORS 311.392 allows for the advance distribution of property tax monies from the County General Fund to taxing districts if, in the discretion of the County, it is more economical to do so.

THEREFORE IT IS ORDERED that the Director of Finance be authorized to distribute funds prior to December 1, 1996 in advance, to those various tax levying districts whose annual levies are \$50,000 or less for the fiscal year 1996-97. In addition, be ordered to deduct from the levy the 3 percent discount, which would have been given had all the taxes been paid by November 15.

IT IS FURTHER ORDERED that all taxes advanced by the County General Fund be reimbursed to the County General Fund when collected.

APPROVED this 14th day of November, 1996.



By Beverly Stein  
Beverly Stein, Chair  
Multnomah County, Oregon

REVIEWED BY:

LAURENCE KRESSEL, County Counsel

By Sandra N. Duffy  
Sandra N. Duffy, Chief Assistant Counsel

Multnomah County Advance Recovery		For Tax Year 1996-97			
Name	Tax Dist Code #		Amount	3% Discount	Net
City of Milwaukie	129		\$24,798.87	(\$743.97)	\$24,054.90
City of Milwaukie Bonds	229		\$1,993.43	(\$59.80)	\$1,933.63
Clackamas Co ESD Elementary School	307		\$3,477.22	(\$104.32)	\$3,372.90
Clackamas Co ESD High School	374		\$1,739.83	(\$52.19)	\$1,687.64
NW Regional Education Service District #1	305		\$10,592.89	(\$317.79)	\$10,275.10
Hillsboro Union High School #U3-8 Bonds	489		\$240.94	(\$7.23)	\$233.71
North Plains School District #70 Bonds	488		\$115.85	(\$3.48)	\$112.37
Alto Park Water District	144		\$20,916.75	(\$627.50)	\$20,289.25
Mt. Scott Water District Bonds	252		\$1,356.53	(\$40.70)	\$1,315.83
Clackamas Fire Protection District #1	138		\$8,586.13	(\$257.58)	\$8,328.55
Scappoose Fire Protection District #31	177		\$39,861.84	(\$1,195.86)	\$38,665.98
Scappoose Fire Protection District #31 Bonds	277		\$3,311.70	(\$99.35)	\$3,212.35
Wash County Unified Sewer Agency Bonds	280		\$8,977.50	(\$269.33)	\$8,708.17
Skyline Crest Road District #1	169		\$3,208.36	(\$96.25)	\$3,112.11
Ramsey-Walmer Road District	181		\$6,498.99	(\$194.97)	\$6,304.02
Columbia Drainage	501		\$457.61	(\$13.73)	\$443.88
Peninsula Drainage #1	503		\$33,778.15	(\$1,013.34)	\$32,764.81
Mobile Home Ombudsman Acct	586		\$13,719.41	(\$411.58)	\$13,307.83
<b>Total</b>			<b>\$183,632.00</b>	<b>(\$5,508.97)</b>	<b>\$178,123.03</b>

1. REQUEST FOR PLACEMENT ON THE AGENDA FOR:

(Date)

DEPARTMENT: COMMUNITY AND FAMILY SERVICES

DIVISION: N/A

CONTACT: KATHY TINKLE

PHONE: 3691

\* NAME(S) OF PERSON MAKING PRESENTATION TO BOARD: REY ESPANA / KATHY TINKLE

SUGGESTED AGENDA TITLE (to assist in preparing a description for the printed agenda)

Budget Modification CFS#8 transfers \$50,000 from County General Fund Contingency and to the Office of Community Action and Development Anti-Poverty/Housing Stabilization program budget to fund workforce development and services in outer southeast Multnomah County.

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?

[ ] PERSONNEL CHANGES ARE SHOWN IN DETAIL ON THE ATTACHED SHEET

This modification adds \$50,000 to the Office of Community Action and Development Anti-Poverty and Housing Stabilization program contract pass through budget to fund workforce development and service is outer southeast Multnomah County. This is a project of the Marshall Caring Community's workforce development.

\$50,000 in CGF Contingency will be used to fund organizational staffing to assist with the development and support of a non-profit organizational capacity. County funds will be matched with \$50,000 from the City of Portland to be used by Southeast Uplift Neighborhood Program as the fiscal agent for the consultant and organizational development activities. These funds will be matched by in-kind services from the Private Industry Council and by Portland Community College. \$25,000 in SIP funds has also been committed.

Indirect support and service reimbursement to the County General Fund are both increased by \$350.

BOARD OF COUNTY COMMISSIONERS  
96 NOV - 5 PM 4:18  
MULTNOMAH COUNTY OREGON

3. REVENUE IMPACT (Explain revenues being changed and reason for the change)

Increase General Fund Contingency	\$50,000
Increase County General Fund Indirect Support	\$350
Increase Service Reimbursement Fed/State to General Fund	\$350
<b>TOTAL</b>	<b>\$50,700</b>

4. CONTINGENCY STATUS [to be completed by Budget & Planning]

(Specify Fund) Fund Contingency BEFORE THIS MODIFICATION (as of \_\_\_\_\_): \$ \_\_\_\_\_  
AFTER THIS MODIFICATION: \$ \_\_\_\_\_

Originated By: [Signature] Date: 11/4/96

Plan / Budget Analyst: [Signature] Date: 11/5/96

Board Approval: [Signature] Date: 11/14/96

Department Director: [Signature] Date: 11/4/96

Employee Services: \_\_\_\_\_ Date: \_\_\_\_\_



REQUEST FOR GENERAL FUND CONTINGENCY TRANSFER

1. Attachment to Bud Mod No. CFS#8 2. Amount requested from General Fund Contingency: \$55,000

3. Summary of request:

Funds are requested to develop organizational capacity to provide workforce development services in outer southeast Multnomah County and to provide planning services related to East County workforce development.

4. Has the expenditure for which this transfer is sought been included in any budget request during the past five years? NO If so, when? \_\_\_\_\_  
If so, what were the circumstances of its denial?

5. Why was this expenditure not included in the annual budget process?

Workforce development as a County Benchmark was not established until after the 1996/97 budget was adopted.

6. What efforts have been made to identify funds from another source within the Department to cover this expenditure? Why are no other Departmental sources of funds available?

No additional efforts have been made to identify funds from another source within the Department. The Board of County Commissioners has identified workforce development as a new County benchmark and set aside County General Fund Contingency for these activities.

7. Describe any new revenue that this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account.

This request will not produce any new revenue and no anticipated payback to the general fund is anticipated.

8. This request is for a (Quarterly \_\_\_\_\_) (Emergency \_\_\_\_\_) review.

9. For emergency requests only: Describe in detail on an additional sheet the costs or risks that would be incurred by waiting for the next quarterly review, in justification of the emergency nature of this request.

10. Attach any additional information or comments which you feel would be helpful.

Lolenz Poemas  
Signature of Department Head / Elected Official

11/4/96  
Date







# 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

## MEMORANDUM

TO: Board of County Commissioners

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

DATE: November 4, 1996

SUBJECT: Budget Modification CFSD #8

**I. RECOMMENDATION/ACTION REQUESTED:** The Department of Community and Family Services recommends the approval of Budget Modification CFSD#8. This modification requests a transfer of \$50,000 from General Fund Contingency to the Office of Community Action and Development Anti-Poverty/Housing Stabilization contract pass through budget to fund workforce development and services in outer southeast Multnomah County.

**II. BACKGROUND ANALYSIS:** The modification provides funding for workforce development services in outer southeast Multnomah County, a project of the Marshall Caring Community's Workforce Development Committee. \$50,000 in CGF Contingency will be used to fund organizational staffing to assist with the development and support of a non-profit organizational capacity to administer a workforce development program. The model to be used involves personal advocates. These funds will be matched with \$50,000 from the City of Portland to be used by Southeast Uplift Neighborhood Program as the fiscal agent for the consultant and organizational development activities. These funds will also be matched by in-kind services from the Private Industry Council's Dislocated Worker Project and by Portland Community College. \$25,000 in SIP funds have been committed to this project.

**III. FINANCIAL IMPACT:** This modification increases the program budget of the Office of Community Action and Development by \$50,350. Pass through services is increased by \$50,000 and the indirect support and service reimbursement to County General Fund are both increased by \$350.

**IV. LEGAL ISSUES:** N/A

**V. CONTROVERSIAL ISSUES:** N/A

**VI. LINK TO CURRENT COUNTY POLICY:** Workforce development to realize livable wage jobs has been identified as a new County Benchmark. This budget modification utilizes CGF Contingency set aside for workforce development activities.

**VII. CITIZEN PARTICIPATIONS:** The projects have been developed and recommended by the Marshall Caring Community and are approved by the SIP steering committee.

**VIII. OTHER GOVERNMENT PARTICIPATION:** Workforce development in Outer SE will be matched financially by City of Portland. SIP activities are coordinated with Caring Communities, which may include other governments and schools districts.



# MULTNOMAH COUNTY, OREGON

BOARD OF COUNTY COMMISSIONERS  
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SHARRON KELLEY

BUDGET & QUALITY OFFICE  
PORTLAND BUILDING  
1120 S.W. FIFTH - ROOM 1400  
P. O. BOX 14700  
PORTLAND, OR 97214  
PHONE (503)248-3883

TO: Chair Beverly Stein  
Commissioner Dan Saltzman  
Commissioner Gary Hansen  
Commissioner Tanya Collier  
Commissioner Sharron Kelley

FROM: R. Barry Crook, Budget & Quality Manager *bc*

DATE: November 5, 1996

SUBJECT: Contingency Request on Your November 14th Agenda

On your November 14<sup>th</sup> agenda, you have a budget modification request – CFSD #8 – seeking an appropriation from the Contingency Reserve of the General Fund in the amount of \$50,000 for the purpose of contracting with Southeast Uplift Neighborhood Program to fund organizational staffing to assist with the development of a non-profit organizational capacity to administer a workforce development program.

## **Fiscal Impact**

The Board adopted a Contingency Reserve budget of \$2,999,662 for FY 1996-97. As of November 5, the Board had allocated \$488,011 of that, leaving a balance for allocation of \$2,530,921.

## **Budget Office Analysis of Request**

This is a new program requiring seed money for organization and startup. The department recommendation calls for use of \$50,000 of CGF Contingency funds along with other funding sources. These other sources include DWP, TPIC, AFS, and the City of Portland (\$50,000 committed). Additionally, the Strategic Investment Program (SIP) has committed to procure up to \$25,000 of services from the organization of direct workforce advocacy consistent with the SIP guidelines during this fiscal year. It is expected that, once established, the program will be requesting additional funding in the \$50,000 range from the County on an annual basis.

The money will be passed through CFSD to the Southeast Uplift Neighborhood Program (SUNP) which has been a participant in the planning process. CFSD currently has a small

contract (<\$25,000) with SUNP and will be requesting an RFP exemption for this contract for one year. The intention of CFSD is to review its options at the end of this year based on the results of the organization study and either contract with another governmental agency or develop a RFP.

This approach proposed for provision of workforce related services in outer Southeast Portland and east Multnomah County is to begin providing services and at the same time conduct long term organization planning. The money requested from the General Fund Contingency at issue is for hiring a consultant and expanding the workforce at SUNP to implement inter-agency coordination and establish a framework for a permanent organization. It is expected that SIP will procure direct workforce related services from SUPN up to its financial commitment.

### **Budget Office Recommendation**

I recommend the approval of the request to transfer \$50,000 from the Contingency Reserve. The broad coalition of organizations funding this program and the here-to-fore underserved target population argue for its acceptance. Infrastructure support for workforce development initiatives is one of the purposes the Board listed for use of the General Fund Contingency.



R. Barry Crook  
Budget & Quality Manager

MEETING DATE: November 14, 1996  
AGENDA #: R-5  
ESTIMATED START TIME: 9:45

(Above Space for Board Clerk's Use ONLY)

**AGENDA PLACEMENT FORM**

SUBJECT: Board Briefing Regarding Senate Bill 1145 Impact on Multnomah County

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

REGULAR MEETING: DATE REQUESTED: Thursday, November 14, 1996  
AMOUNT OF TIME NEEDED: 1 Hour

DEPARTMENT: Sheriff's Office DIVISION: Sheriff's Office

CONTACT: Barbara Simon TELEPHONE #: 251-2503  
BLDG/ROOM #: 313

PERSON(S) MAKING PRESENTATION: Sheriff Dan Noelle, Tamara Holden, Dan Oldham,  
Bill Wood, Cary Harkaway, Dave Boyer and Dave Warren

ACTION REQUESTED:

INFORMATIONAL ONLY  POLICY DIRECTION  APPROVAL  OTHER

SUGGESTED AGENDA TITLE:

Presentation/Briefing by the Multnomah County Senate Bill 1145 Working Group on its Progress-to-Date in the Following Areas: 1) Siting and Facility Design; 2) Offender Management; 3) Program Development; and 4) Budget and Finance; and Explanation on Request to Amend MCSO and DCC Budgets to Appropriate 1145 Funding to Implement the Offender Management Plan.

SIGNATURES REQUIRED:

ELECTED OFFICIAL: Dan Noelle  
(OR) DEPARTMENT MANAGER: \_\_\_\_\_

BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY  
OREGON  
96 NOV - 6 AM 11:10

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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

**BOGSTAD Deborah L**

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**From:** OLDHAM Dan A  
**To:** #DCC-MTAD (All Admin. Group); HOLDEN Tamara; #COMMUNITY INVOLVEMENT; LEGRY John P; #DES-ADMINISTRATION; #LAND USE PLANNING; GOSS Bill J; POOL Vera C; HAUG Richard A; JAMIESON Jackie L; WOOD William T; MOTT Kelly C; SIMON Barbara M; AAB Larry A; WHALEN Bart J; STEIN Beverly E; FARVER Bill M; BOGSTAD Deborah L; SALTZMAN Dan S; HANSEN Gary D; ROJO Maria D; TRACHTENBERG Robert J; KELLEY Sharron E; COLLIER Tanya D; BOYER Dave A; BLACKMER Gary A; CHAIR Mult  
**Subject:** Schedule of Siting Advisory Committee Meetings  
**Date:** Thursday, October 31, 1996 7:28PM

**Meeting Dates**  
**Siting Advisory Committee**  
**New Multnomah County Corrections Facility**

**Meeting #1**  
Thursday, September 26, 1996  
6:00 p.m. to 8:00 p.m.

**Meeting #2**  
Tuesday, October 08, 1996  
6:00 p.m. to 8:00 p.m.

**Meeting #3**  
Wednesday, October 23, 1996  
6:00 p.m. to 8:00 p.m.

**Meeting #4**  
Thursday, November 14, 1996  
6:00 p.m. to 8:00 p.m.

**Meeting #5**  
Thursday, December 05, 1996  
6:00 p.m. to 8:00 p.m.

**Meeting #6**  
Thursday, December 19, 1996  
6:00 p.m. to 8:00 p.m.

**Meeting #7**  
Thursday, January 09, 1997  
6:00 p.m. to 8:00 p.m.

**Meeting #8**  
Thursday, January 16, 1997  
5:00 p.m. to 8:00 p.m.

**Meeting #9**  
Thursday, January 23, 1997  
6:00 p.m. to 8:00 p.m.



# MULTNOMAH COUNTY, OREGON

BOARD OF COUNTY COMMISSIONERS  
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BUDGET & QUALITY  
PORTLAND BUILDING  
1120 S.W. FIFTH - ROOM 1400  
P. O. BOX 14700  
PORTLAND, OR 97214  
PHONE (503)248-3883

TO: Board of County Commissioners

FROM: Dave Warren, Principal Budget Analyst *DCW*

DATE: November 6, 1996

SUBJECT: SB1145 Board Briefing and Budget Modifications for the Sheriff's Department and Department of Community Corrections to implement the Offender Management Plan

*The SB 1145 Briefing is related to the following Budget Modifications and flow charts:*

- MCSO Budget Modification #1** - To add \$172,886 to the Sheriff's budget to implement the Offender Management Plan and pay for staff, materials and services necessary due to the transfer of offenders from the state system to the county system because of SB 1145. Funds will pay for three (3) Corrections Counselors and one (1) Office Assistant 2 to manage the inmates in the system. Start-up and one time only costs are also included. Funding for all costs are included as of December 1, 1996.
- MCSO Budget Modification #2** - To add \$74,571 to the Sheriff's Corrections Records budget to pay for staff, materials and services necessary due to the transfer of inmates from the state system to the county system because of SB 1145. Funds will offset expenditures for three (3) Sheriff's Operating Technicians, one to begin 12/1/96, one to begin 1/1/97 and one to begin 4/1/97. These employees will be responsible for entering and maintaining the SB1145 offenders on the jail's computer system. Start-up and one time only costs are also included.
- DCC Budget Modification #4** - To add \$170,797 to the Department of Community Corrections budget to implement the Offender Management Plan and pay for staff, materials and services necessary due to the transfer of offenders from the state system to the county system because of SB 1145. Funds will pay for one (1) Corrections Technician and three (3) Probation/Parole Officers. Start-up and one time only costs are also included.
- Offender Management Plan Flow Chart** - Identifies the process and offender flow through the system.

November 6, 1996

**BACKGROUND:**

SB 1145 and its successor HB 3489 resulted in a State appropriation to Multnomah County of \$3,167,000 for handling felons sentenced to less than one year, from January 1, 1997 through June 30, 1997. The vision of the legislature in enacting this bill was to create a culture of cooperation of systematic public safety in the State, with a single coordinating body to deal with all problems that plague jurisdictions. The Local Public Safety Coordinating Council (LPSCC) will facilitate the interrelationships and bring the key players together. The Council, as a central body, will review and approve plans for the implementation of SB 1145 and the Council will recommend to the Board of County Commissioners how to use resources.

The LPSCC created the SB 1145 Implementation Group to address the short term issues associated with implementing SB1145. This Group has four working subcommittees:

Siting and Facility Design  
Offender Management  
Program Development  
Budget and Finance

Each of the subcommittees was charged with a series of tasks and objectives, each interrelated. The objectives and progress to date of each of these subcommittees will be presented to you during the SB 1145 Briefing. This same briefing was presented to the LPSCC at their October 17, 1996 meeting. Due to time constraints, the detailed fiscal considerations will be presented to the LPSCC executive committee at their next meeting.

As of January 1, 1997, Multnomah County will be responsible for SB1145 felons sentenced after that date. The total number of inmates we receive will depend on the frequency with which the felons are sentenced and on the length of their sentence. Using State estimates of an average of 7.46 sentenced felons for each court day, we will be responsible for 670 inmates to house or supervise by June, 1997. Over the six (6) month period, we will have to provide about 71,500 daily slots for these inmates.

Placing a felon in a State prison bed will cost the County about \$53/day for each inmate. Placing all SB1145 offenders in prison beds would cost the County between \$3.8 million and \$4.1 million in 1996-97. These costs will exceed State revenue by \$630,000 and \$930,000. In order to maximize State resources and live within existing allotment, inmates will need to be moved from the State prison into less expensive program slots in Multnomah County. The purpose of the Offender Management Plan is to move the offenders through the correctional continuum from jail through community sanction programs so that the offender is successfully reintegrated into the community. This process is identified in the Offender Management flow chart included in this packet.

The Offender Management unit will need to carry out all the functions shown in the attached flow chart. In addition, during the first month or so, the Offender Management unit will be a key player in determining what non-jail programs need to be on-line by what dates, and in building the budgets for those programs so that the total State allocation is not exceeded. The cost to implement this portion SB1145 is \$477,238. It is necessary to allocate staff into these positions as soon as possible to get the program up and running prior to January 1, 1997.

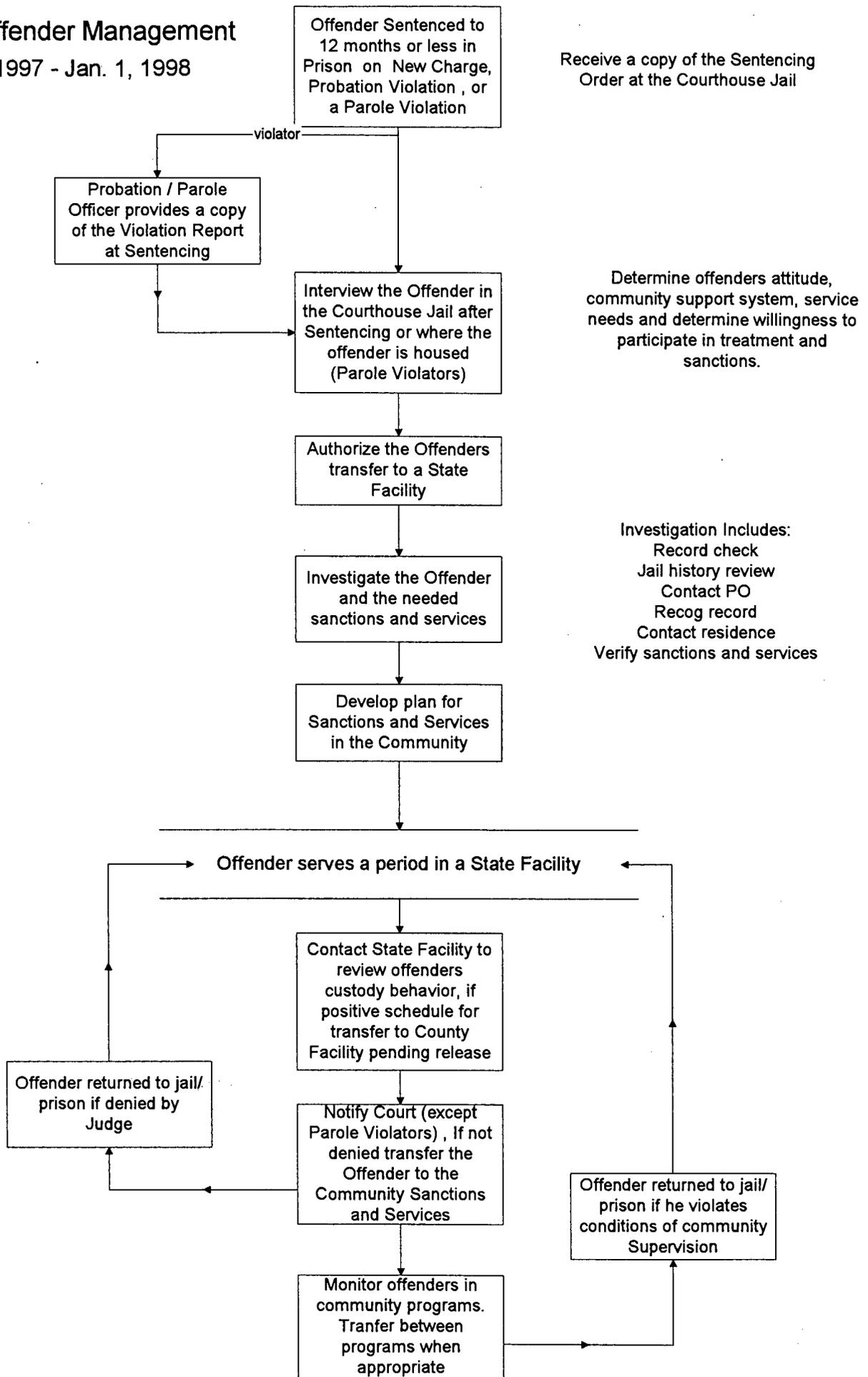
The Board should be aware that Supervisory and Program Administration costs have not been included in these budget modifications. The departments will be absorbing these costs, thereby freeing-up scarce service program dollars available to offenders. This plan represents a subsidy to the SB 1145 program for 1996-97. Specifically, some or all of a Program

November 6, 1996

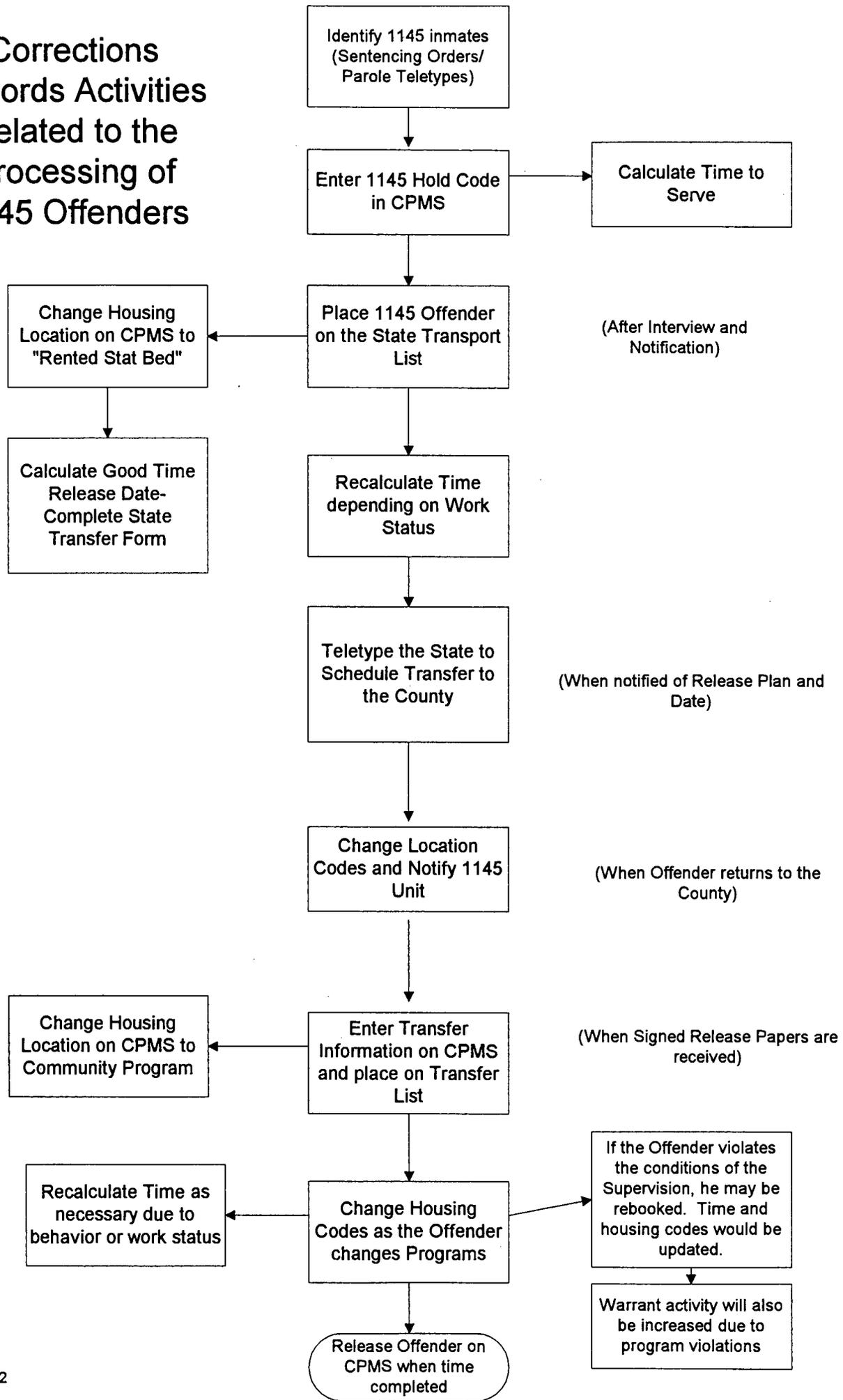
Administrator for the Sheriff's Office and a Community Corrections Supervisor for Community Corrections will be assigned to manage the Offender Management team. The departments involved are exploring the level of supervision required. The cost of these positions, by being absorbed within other funding sources this fiscal year, represents hidden support to the SB 1145 program. This subsidy comes at the expense of other duties that will not be carried out by the staff who will, in fact, be supervising this unit. While it may be possible to get through the first six months with this shift in responsibilities, over time it will be necessary to provide and pay for management staff in this program, and the Board must decide whether to cover this cost within the funds made available by the State or to provide supplementary funding from local revenues. It is anticipated that these positions will be included in the budget request for the SB 1145 allocation in 1997-98 and the future.

# 1145 Offender Management

Jan. 1, 1997 - Jan. 1, 1998



# Corrections Records Activities Related to the Processing of 1145 Offenders



# ISD Activity and Reports Related to Jailed 1145 Offenders

Prepare a Daily List of all 1145 Offenders\* entered during the last 24 hours.

\*All Offenders who had 1145 Hold Codes entered during the last 24 hours.

Generate a 1145 Daily Alpha List Sorted by Housing Location (including State Rental Beds)

Generate a daily list of all 1145 offenders transferred to state rented beds during the last 24 hours.

Generate a daily list of 1145 inmates who have completed set periods\* in custody since the Hold Code was entered

\*Timed Reports-  
 20 days  
 40 days  
 60 days  
 90 days  
 120 days  
 150 days  
 180 days

Generate 1145 Monthly Reports

ISD Will transfer data to the State DOC so they can monitor the progress of SB 1145

Monthly Reports would indicate:  
 Number of New 1145 Offenders during month  
 Number of 1145 Offenders released during month  
 Total Days spent in custody during month  
 Total days spent in each Facility during month  
 Average Length of Stay for for offenders released

11/14/96  
DAVE WARREN

**SB 1145**  
**1996-97 Basic Financial Picture**

The State appropriation allocated to Multnomah County for the first 6 months of the program is \$3,167,000. This amount was based on a formula that assumed 700 felon slots would be needed daily and that the average cost would be \$65 per day for inmates held in jail (525 inmates), and \$7 per day for inmates supervised on the street (175 inmates). The formula assumed offenders would be sentenced at a steady rate of between 7 and 8 per day and the number would grow through the first four and a half months to the maximum number.

Here is what we currently believe to be true:

- By June 1997 we expect to be supervising between 650 and 815 inmates, (depending on average length of sentence the average number sentenced per court day).
- By February 1998, my estimate is that this number will top out at between 800 and 970
- The 1996-7 cost to house these felons in State custody at \$53 per day will be between \$3.8 million and \$4.6 million

We cannot afford to keep the inmates in a prison bed. To move them out of a cell into other (less expensive) programs requires an inmate management process and a staff to implement it. The following table shows the financial parameters.

<u>Component</u>	<u>Amount</u>	<u>Amount</u>	<u>Amount</u>
State Felon Impact Revenue	3,167,000		
Less LPSCC Staff Support	(191,332)		
Less Inmate Management Team	(418,254)		
<b>Available for Inmate Supervision</b>	<b>2,557,414</b>	<b>2,557,414</b>	<b>2,557,414</b>
Cost of Jail Beds			
330 Beds	(2,572,171)		
194 Beds		(1,695,153)	
150 Beds			(1,357,689)
<b>Balance for Non-Custody Programs</b>	<b>(14,757)</b>	<b>862,261</b>	<b>1,199,725</b>
Custody days to cover	22,100	38,400	44,700
Cost per day	(1)	22	27

Notice that:

- We cannot afford 330 prison beds (the number we had been planning on until September) in 1996-97.
- We can afford between 150 and 194 prison beds (\$53/day) at a 96-7 cost of \$1.4 to \$1.7 million. This equates to an average stay of 30 to 40 days. The remaining inmates must be supervised in other programs with an average cost in the neighborhood of \$25 per inmate day.

## **BOGSTAD Deborah L**

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**From:** DUFFY Sandra N  
**Sent:** Tuesday, November 12, 1996 3:41 PM  
**To:** #CHAIR'S OFFICE; #DISTRICT 1; #DISTRICT 2; #DISTRICT 3; #DISTRICT 4  
**Cc:** OLDHAM Dan A; SIMON Barbara M  
**Subject:** Inverness expansion - City Land Use Decision

I have been working with Dan Oldham and Barbara Simon to address some legal issues which have arisen in the City of Portland hearing of the application for the Inverness expansion. Because of the political overtones of the matter, I thought I would give you a brief sketch of where we have been and where we are going so you will be familiar with the issue in the event you are contacted by anyone regarding the matter.

### **BACKGROUND**

Dan and Barbara and hired consultants were in contact with the Columbia Slough Watershed Council from June through October regarding the environmental impacts of the Inverness expansion. The South shore of the peninsula is considered a wildlife habitat and the North shore is considered a wildlife corridor. Every request for environmental accommodation requested by the group was agreed to by MCSO. This included a redesign of the new building addition to move it 15' further back from the South shore line.

During this period of time it was generally known by the environmental group and MCSO that there was supposed to be a 50' "buffer" zone around the site for environmental protection. However, there were no meets and bounds description of the buffer zone, and its location was a topic of some protracted discussions. MCSO worked extensively with the City of Portland Planning Bureau (Mike Hayakawa) to figure out the EP (Environmental Protection) line around the site. Mike told MCSO to scale the zone outline as located on the official zoning map into an on-the-ground line. Much time and expense was borne by MCSO to do that. The present Inverness Jail incurs into the EP zone on the South shore side. That is "grandfathered" in and is a non-conforming use that will be allowed to remain. The movement of the design of the new portion of the jail 15' to the North meant the new addition would be entirely out of the EP zone.

After MCSO met all the concerns of the environmental group and had completed the redesign to move the footprint of the building Northward 15', then a "splinter" group of the environmental group determined that it was more important to protect the North shore than the South shore. They requested that the new building be moved 15' Southward again. MCSO balked at this because they had spent 5 months negotiating the environmental issues and had spent \$500,000 designing the addition. (Also, after the EP line was created, it was clear that moving the addition 15' southward could not happen because it would have gone into the EP zone. A zoning change would have been required and was unlikely to have been granted.)

The "rub" is that the opponents point out -correctly- that the EP line which MCSO surveyed on-the-ground does not provide for the 50' EP buffer that the narrative of the Portland City Code requires, i.e. the zoning map does not, in REALITY, reflect the narrative requirement for a 50' buffer "from top of bank." The Planning Dept. told MCSO that it could follow the zoning map since there is a code provision that states that when there is a conflict between the narrative and the zoning map, the map controls. The map must be changed by a legislative action of the City Council. The Planning Dept. plans to do such a legislative action.

The opponents recognize that the City's code gives preference to the map over the narrative (although they have proffered some arguments that that might not be true in this case). They are appealing, at a political level, to the County to not act in conflict with the INTENT of the zoning regulations, even if it has a legal right to do so.

MCSO, understandably, feels a great deal of frustration in having gone through an arduous process, accommodated a multitude of requests, spent half a million dollars to design the addition relying on the agreements made, and then have the goalposts changed on them. But perhaps the most disturbing aspect has been to have the opponents say the Sheriff's Office and its consultants are dishonest because, they charge, that MCSO knew of the zoning map error at the outset of this process and went ahead with their design plans anyway. However, MCSO has asserted that it did not learn until after the redesign that the EP line they had surveyed onto

the ground did not reflect a 50' buffer. While they always knew that the zone was intended to incorporate a 50' environmental protection zone around the site, they did NOT know until after the survey that the EP line varied from 10' to 50' from the "top of bank" (the narrative description of the outer line of the 50' buffer). MCSO did what the City demanded of them - to scale the zoning map onto the ground. (I would also expect that the "top of bank" has changed substantially over the years, especially with the flooding of last year.) It was at that point that everyone became aware that there was not a 50' buffer.

#### POSSIBLE SOLUTIONS

It is my opinion that the Hearings Officer is going to approve the County's application and issue a building permit. We also anticipate an appeal to City Council (on the record) but would expect to be affirmed. There are some voluntary things the County could do to minimize the political downside of the matter. The ones that have been discussed are: moving the slough (perhaps using inmate work crews) or doing a limited redesign to move the corner of the building where the sally-port was to be located. Dan and Barbara recognize that they will have to continue to work with environmental groups in the siting and building of the other jails required by 1145, and thus are willing to continue to work this out. But the timing is critical and short since the State has said they are turning over the County prisoners on January 1, 1998 whether we have a jail or not. This is why MCSO wants to work the compromises out after its application is approved. It is hoped that the opponents will be satisfied with the mitigation proffered by MCSO and will not appeal the application. The unnerving part of such a "deal" is that the rest of the environmental group with whom we reached agreement previously might come forward with some objection. Any mitigation would have to take into account any of their concerns to avoid that.

BUDGET MODIFICATION NO.

MCSO #1

NOV 14 1996

(For Clerk's Use) Meeting Date

Agenda No.

R-6

1. REQUEST FOR PLACEMENT ON THE AGENDA FOR

(Date)

DEPARTMENT Sheriff's Office

DIVISION \_\_\_\_\_

CONTACT Larry Aab

TELEPHONE 251-2489

\* NAME(S) OF PERSON MAKING PRESENTATION TO BOARD \_\_\_\_\_

SUGGESTED

AGENDA TITLE (to assist in preparing a description for the printed agenda)

Budget modification requesting authorization to add \$172,886 to the Sheriff's budget to pay for staff and materials necessary to manage the movement of SB1145 offenders through the system.

(Estimated Time Needed on the Agenda)

2. DESCRIPTION OF MODIFICATION

(Explain the changes this Bud Mod makes. What budget does it increase? What do changes

accomplish? Where does the money come from? What budget is reduced? Attach additional information if you need more space.)

X

Personnel changes are shown in detail on the attached sheet

This modification will add \$172,886 to the Sheriff's budget to pay for staff, materials and services necessary due to the transfer of offenders from the state system to the county system because of senate bill 1145. Funds will pay for 3 Corrections Counselors and one Office Assistant 2 to manage the inmates in the system. Start-up and one-time-only materials and services costs will also be covered. Funding for all costs are included as of December 1, 1996.

3. REVENUE IMPACT

(Explain revenues being changed and reason for the change)

Move SB1145 revenue from Non-Departmental to the Sheriff's Office - \$172,886

Add service reimbursements from the federal/state fund totaling \$36,802

BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY  
OREGON  
96 NOV - 6 AM 11:57

4. CONTINGENCY STATUS

(to be completed by Budget & Planning)

Fund Contingency before this modification (as of \_\_\_\_\_) \$ \_\_\_\_\_

Date

After this modification \$ \_\_\_\_\_

Originated By

*Shelley J Wood*

Date

*11/5/96*

Department Director

*Don [Signature]*

Date

*11/5/96*

Plan/Budget Analyst

*Karyne Dargam*

Date

*11/6/96*

Employee Services

Date

Board Approval

*MEMORAH LIBOCASTRO*

Date

*11/14/96*



BUDGET MODIFICATION NO **MCS01**

Senate Bill 1145 Monitoring Program

Expenditure

Transaction EB [ ] TRANSACTION DATE: \_\_\_\_\_ ACCOUNTING PERIOD: \_\_\_\_\_ BUDGET FY: \_\_\_\_\_

Fund	Agency	Organization	Activity	Reporting Category	Object	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
156	025	4114			5100			85,715		Permanent
					5300			750		Overtime
					5400			2,267		Premium
					5500			15,537		Fringe
					5550			10,794		Insurance
					6110			4,000		Professional Services
					6230			5,010		Supplies
					7100			13,846		Indirect
					7150			1,674		Telephone
					7300			15,793		Motor Pool
					7400			7,500		Building Management
					8400			10,000		Equipment
402	070	7990			6140			1,674		Communications
401	030	5905			6230			15,793		Supplies
410	030	5630			6230			7,500		Supplies
400	070	7522			6580			10,794		Insurance
156	025	9045			6110			(159,040)		
					7100			(13,846)		
									35,761	Total Expenditure Change

Revenue

Transaction [ ] TRANSACTION DATE: \_\_\_\_\_ ACCOUNTING PERIOD: \_\_\_\_\_ BUDGET FY: \_\_\_\_\_

Fund	Agency	Organization	Activity	Reporting Category	Object	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
402	070	7990			6602			1,674		Srv. Reimb. from F/S fund
401	030	5905			6602			15,793		Srv. Reimb. from F/S fund
410	030	5630			6602			7,500		Srv. Reimb. from F/S fund
400	070	7522			6602			10,794		Srv. Reimb. from F/S fund
156	050	9045			2340			172,886		State/Felons
156	025	4114			2340			(172,886)		State/Felons
									35,761	Total Revenue Change

**BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM BRIEFING  
STAFF REPORT SUPPLEMENT**

TO: BOARD OF COUNTY COMMISSIONERS  
FROM: SHERIFF DAN NOELLE  
TODAY'S DATE: 10/30/96  
REQUESTED PLACEMENT DATE: \_\_\_\_\_  
RE: BUDGET MODIFICATION - SB 1145 OFFENDER MOVEMENT MANAGEMENT

- I. Recommendation/Action Requested:  
Approval of budget modification.
- II Background/Analysis:  
The program and staff noted in this budget modification are necessary to manage the movement of SB1145 offenders through jail (prison) to sanctions and services in the community. A joint committee of Sheriff's staff and DCC staff have developed a combined program to safely manage these inmates. This is necessary due to the passage and implementation of SB1145 which will result in an additional estimated 671 daily inmates for Multnomah County.
- III Financial Impact:  
Resources for this program to manage the SB1145 offenders would come from the State's SB1145 funding. Cost to manage offender movement is \$172,886 for 96-97.
- IV Legal Issues:  
SB1145 creates a new type of inmate for the county and creates a number of new legal issues and concerns. The county counsel's office has assisted with a number of legal issues and questions. A primary concern is that these new county offenders are the responsibility of the county. It is critical that these offenders be screened and supervised for the protection of the public and the liability issues to the county.
- V Controversial Issues:  
This is a major change in how these inmates are being maintained and supervised. This change has created considerable controversy and discussion. In addition, the State has not provided sufficient money to operate the desired program. The financial limitation will result in continued controversy.
- VI Link to Current County Policies:  
The program and activities will build off of existing programs and activities in the jail and in the community. The principle behind SB1145 is that the county is in a better position to identify and individualize programs and services for these offenders. Through this effort it is believed that the county will be better able to cause behavior change and offender rehabilitation.
- VII Citizen Participation:  
The program plan has been presented to the Local Public Safety Committee which has citizen representatives.
- VIII Other Government Participation:  
During the first year the county will be renting beds from the State. This offender management group will need to work closely with the State's Department of Corrections staff during this first year.

BUDGET MODIFICATION NO.

MCSO #2

NOV 14 1996

(For Clerk's Use) Meeting Date

Agenda No. R-7

1. REQUEST FOR PLACEMENT ON THE AGENDA FOR \_\_\_\_\_

(Date)

DEPARTMENT Sheriff's Office

DIVISION \_\_\_\_\_

CONTACT Larry Aab

TELEPHONE 251-2489

\* NAME(S) OF PERSON MAKING PRESENTATION TO BOARD \_\_\_\_\_

SUGGESTED

AGENDA TITLE (to assist in preparing a description for the printed agenda)

Budget modification requesting authorization to add \$74,571 to the Sheriff's budget for staff and supplies necessary to enter and maintain Senate Bill 1145 offenders on the jail's computer system.

(Estimated Time Needed on the Agenda)

2. DESCRIPTION OF MODIFICATION

(Explain the changes this Bud Mod makes. What budget does it increase? What do changes accomplish? Where does the money come from? What budget is reduced? Attach additional information if you need more space.)

Personnel changes are shown in detail on the attached sheet

This modification will add \$74,571 to the Sheriff's budget to pay for staff, materials and services necessary due to the transfer of inmates from the state system to the county system because of senate bill 1145. Funds will pay for three Sheriff's Operations Technicians - one to begin 12/1/96, one to begin 1/1/97, and one to begin 4/1/97. Employees filling these positions will enter and maintain the SB1145 offenders on the jail's computer system. Start-up and one-time-only materials and services costs will also be covered.

3. REVENUE IMPACT

(Explain revenues being changed and reason for the change)

Move SB1145 revenue from Non-Departmental to the Sheriff's Office - \$74,571  
Add service reimbursement from insurance fund \$1942

BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY  
OREGON  
NOV - 6 AM 11:57

4. CONTINGENCY STATUS

(to be completed by Budget & Planning)

Fund Contingency before this modification (as of \_\_\_\_\_) \$ \_\_\_\_\_

Date

After this modification \$ \_\_\_\_\_

Originated By William J Wood

Date 11/5/96

Department Director

Don [Signature]

Date

11/5/96

Plan/Budget Analyst Karyne Dargam

Date 11/6/96

Employee Services

Date

Board Approval Deborah C Boagster

Date 11/14/96

**PERSONNEL DETAIL FOR BUDGET MODIFICATION NO.**

**MCSO 2**

**5. ANNUALIZED PERSONNEL CHANGES** (Compute on a full-year basis even though this action affects only a part of the fiscal year (FY).)

FTE Increase (Decrease)	POSITION TITLE	BASE PAY Increase (Decrease)	ANNUALIZED Increase/(Decrease)		TOTAL Increase (Decrease)
			Fringe	Ins.	
			3	MCSO Records Technicians	
0	TOTAL CHANGE (ANNUALIZED)	82,434	14,434	4,369	101,237

**6. CURRENT YEAR PERSONNEL DOLLAR CHANGES** (Calculate costs/savings that will take place in this FY; these should explain the actual dollar amounts being changed by this BudMod.)

Permanent Positions, Temporary, Overtime, or Premium	Explanation of Change	BASE PAY Increase (Decrease)	CURRENT FY Increase/(Decrease)		TOTAL Increase (Decrease)
			Fringe	Ins.	
			Permanent	Add 1.33 FTE MCSO Records Technicians	
TOTAL CURRENT FISCAL YEAR CHANGES		36,637	6,415	1,942	44,994



**BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM BRIEFING  
STAFF REPORT SUPPLEMENT**

TO: BOARD OF COUNTY COMMISSIONERS  
FROM: SHERIFF DAN NOELLE  
TODAY'S DATE: 10/30/96  
REQUESTED PLACEMENT DATE: \_\_\_\_\_  
RE: BUDGET MODIFICATION - SB 1145 CPMS RECORDS MANAGEMENT

- I. Recommendation/Action Requested:  
Approval of budget modification.
- II Background/Analysis:  
The staff noted in this budget modification are necessary to enter and maintain the SB1145 offenders on the jail's computer system (CPMS) from the point of sentence through the completion of the sentence. A joint committee of Sheriff's staff and DCC staff have developed a combined program that will safely manage these inmates. This program is dependant on information obtained through CPMS. This is necessary due to the passage and implementation of SB1145 which will result in an additional estimated 671 daily inmates for Multnomah County.
- III Financial Impact:  
Resources for this program to manage the SB1145 offenders would come from the State's SB1145 funding. Cost of the records management portion is \$74,571 for 96-97.
- IV Legal Issues:  
SB1145 creates a new type of inmate for the county and creates a number of new legal issues and concerns. The county counsel's office has assisted with a number of legal issues and questions. A primary concern is that these new county offenders are the responsibility of the county. It is critical that these offenders be screened and supervised for the protection of the public and the liability issues to the county.
- V Controversial Issues:  
This is a major change in how these inmates are being maintained and supervised. This change has created considerable controversy and discussion. In addition, the State has not provided sufficient money to operate the desired program. The financial limitation will result in continued controversy.
- VI Link to Current County Policies:  
The program and activities will build off of existing programs and activities in the jail and in the community. The principle behind SB1145 is that the county is in a better position to identify and individualize programs and services for these offenders. Through this effort it is believed that the county will be better able to cause behavior change and offender rehabilitation.
- VII Citizen Participation:  
The program plan has been presented to the Local Public Safety Committee which has citizen representatives.
- VIII Other Government Participation:  
During the first year the county will be renting beds from the State. This offender management group will need to work closely with the State's Department of Corrections staff during this first year.

1. REQUEST FOR PLACEMENT ON THE AGENDA FOR \_\_\_\_\_

(Date)

DEPARTMENT Community Corrections

DIVISION \_\_\_\_\_

CONTACT PATRICK BLUM

TELEPHONE 248-3701 Ext 343B

\* NAME(S) OF PERSON MAKING PRESENTATION TO BOARD

SUGGESTED

AGENDA TITLE (to assist in preparing a description for the printed agenda)

A budget modification to create a budget for the SB1145 Offender Management Team (DCC staff).

(ESTIMATED TIME NEEDED ON THE AGENDA)

2. DESCRIPTION OF MODIFICATION

(Explain the changes this Bud Mod makes. What budget does it increase? What do changes accomplish? Where does the money come from? What budget is reduced? Attach additional information if you need more space.)

Personnel changes are shown in detail on the attached sheet

The State of Oregon Department of Corrections has allocated to Multnomah County \$3,167,422 for handling offenders receiving sentences of less than 12 months for felony crimes (SB1145). The Offender Management Team will be responsible for monitoring and tracking SB1145 offenders for the duration of their sentence. The Team is made up of staff from the Department of Community Corrections and the Sheriff's Department. This budget modification transfers \$170,797 of the allocation from Non-Departmental budet to DCC budget to cover personnel and materials and services costs for the DCC portion of the Offender Management Team. 1 FTE Corrections Technician and 3 FTE Probation/Parole Officers will begin on 12/1/96.

3. REVENUE IMPACT

(Explain revenues being changed and reason for the change)

Transfer of State Felon revenue from Non-departmental to DCC Administration

156-021-2190-2340 170,797

156-050-9045-2340 (170,797)

BOARD OF COUNTY COMMISSIONERS  
96 NOV - 6 AM 11:57  
MULTNOMAH COUNTY OREGON

4. CONTINGENCY STATUS

(to be completed by Budget & Planning)

Fund Contingency before this modification (as of \_\_\_\_\_) \$ \_\_\_\_\_  
Date

After this modification \$ \_\_\_\_\_

Originated By Patrick Blum Date 11/5/96

Department Director M Tamara Holden Date 11/5/96

Plan/Budget Analyst Karyne Dargen Date 11/6/96

Employee Services Date

Board Approval Reborah C. Bogsted Date 11/14/96

**PERSONNEL DETAIL FOR BUDGET MODIFICATION NO.**

**DCC 4**

**5. ANNUALIZED PERSONNEL CHANGES** (Compute on a full-year basis even though this action affects only a part of the fiscal year (FY).)

FTE Increase (Decrease)	POSITION TITLE	BASE PAY Increase (Decrease)	ANNUALIZED		TOTAL Increase (Decrease)
			Increase/(Decrease)		
			Fringe	Ins.	
1.00	Corrections Technician	29,148	5,104	5,227	39,480
3.00	Probation/Parole Officer	123,087	29,997	16,965	170,049
4.00	<b>TOTAL CHANGE (ANNUALIZED)</b>	152,235	35,101	22,192	209,529

**6. CURRENT YEAR PERSONNEL DOLLAR CHANGES** (Calculate costs/savings that will take place in this FY; these should explain the actual dollar amounts being changed by this BudMod.)

Permanent Positions, Temporary, Overtime, or Premium	Explanation of Change	BASE PAY Increase (Decrease)	CURRENT FY		TOTAL Increase (Decrease)
			Increase/(Decrease)		
			Fringe	Ins.	
	<b>156-021-2190</b>				
	<b>% of year JCN</b>				
Perm	Add 1 FTE Corrections Tech 0.583 6266	17,003	2,977	3,049	23,029
Perm	Add 3 FTE Probation/Parole Offi 0.583 6276	71,801	17,498	9,896	99,195
<b>TOTAL CURRENT FISCAL YEAR CHANGES</b>		88,804	20,475	12,945	122,224

BUDGET MODIFICATION NO. DCC4

EXPENDITURE

TRANSACTION EB GM [ ] TRANSACTION DATE \_\_\_\_\_ ACCOUNTING PERIOD 5 BUDGET FY FY 96-97

Document Number	Action	Fund	Agency	Organization	Activity	Reporting Category	Object	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
		156	050	9045						(170,797)		
											(170,797)	
		156	021	2190			5100			88,804		Permanent
		156	021	2190			5500			20,475		Fringe
		156	021	2190			5550			12,945		Insurance
											122,224	
		156	021	2190			6120			500		Printing
		156	021	2190			6230			10,500		General supplies/furniture
		156	021	2190			6310			2,700		Education & Training
		156	021	2190			7100			9,271		Indirect
		156	021	2190			7150			3,000		Telephone/wiring (4 workstations)
		156	021	2190			7300			3,000		Motor pool
		156	021	2190			7400			7,602		Building Management (4 FTE - 6 mos)
		156	021	2190			8400			12,000		Capital Equipment (4 PC's)
											48,573	
		400	050	7531			6580			12,945		Internal Svc Reimb - Insur Fund
											12,945	
<b>TOTAL EXPENDITURE CHANGE</b>										12,945	12,945	

REVENUE

TRANSACTION EB GM [ ] TRANSACTION DATE \_\_\_\_\_ ACCOUNTING PERIOD 5 BUDGET FY FY 96-97

Document Number	Action	Fund	Agency	Organization	Activity	Reporting Category	Revenue	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
		156	021	2190			2340	0	170,797	170,797		
		156	050	9045			2340		(170,797)	(170,797)		
											0	
		400	050	7040			6602			12,945		Internal Svc Reimb from the Fed State Fund
											12,945	
<b>TOTAL REVENUE CHANGE</b>										12,945	12,945	