

# ANNOTATED MINUTES

Thursday, July 15, 2004 - 9:30 AM  
Multnomah Building, First Floor Commissioners Boardroom 100  
501 SE Hawthorne Boulevard, Portland

## REGULAR MEETING

*Chair Diane Linn convened the meeting at 9:30 a.m., with Vice-Chair Serena Cruz and Commissioners Lisa Naito, Lonnie Roberts and Maria Rojo de Steffey present.*

### CONSENT CALENDAR

**UPON MOTION OF COMMISSIONER CRUZ,  
SECONDED BY COMMISSIONER NAITO, THE  
CONSENT CALENDAR (ITEM C-1) WAS  
UNANIMOUSLY APPROVED.**

### SHERIFF'S OFFICE

C-1 Government Contract (190 Agreement) 0310511 with the City of Maywood Park, to Provide Law Enforcement Services and Patrols within the City of Maywood Park

### REGULAR AGENDA PUBLIC COMMENT

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

**SANDRA MCDANIEL AND MAUREEN WRIGHT  
READ AND SUBMITTED LETTERS FROM  
MELISSA ROTH AND KURT NEILSON IN  
SUPPORT OF A VOLUNTEER LIBRARY IN THE  
MONTAVILLA NEIGHBORHOOD UTILIZING  
COUNTY PROPERTY AT 211 SE 80TH STREET.**

### NON-DEPARTMENTAL

R-1 Appointment of Jon Chess, Delma Farrell, Christine Horstman, Sue Lewis, Jon Marquardt, Patsy Moushey, Theresa Sullivan and Stephen Wright to the 2004 CHARITABLE GIVING CAMPAIGN MANAGEMENT COUNCIL

**COMMISSIONER ROJO MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF R-1. THERESA SULLIVAN, REPRESENTING DBCS/FINANCE, EXPLANATION, AND INTRODUCTION OF APPOINTEES JON CHESS, LIBRARIES; DELMA FARRELL, NON-DEPARTMENTAL; CHRISTINE HORSTMAN, DISTRICT ATTORNEY'S OFFICE; SUE LEWIS, COMMUNITY JUSTICE; JON MARQUARDT, HEALTH; PATSY MOUSHEY, COUNTY HUMAN SERVICES; AND STEPHEN WRIGHT, SHERIFF'S OFFICE. BOARD ACKNOWLEDGED AND THANKED COUNTY EMPLOYEES FOR THEIR VOLUNTEER TIME AND EFFORTS ON BEHALF OF THE CAMPAIGN. APPOINTMENTS UNANIMOUSLY APPROVED.**

R-2 Approval of 2004 Charitable Giving Campaign Participating Funds/Federations

**COMMISSIONER ROJO MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF R-2. THERESA SULLIVAN EXPLANATION, ADVISING THE PROPOSED PARTICIPANTS ARE: BLACK UNITED FUND OF OREGON; CHILDREN'S TRUST FUND OF OREGON; COMMUNITY HEALTH CHARITIES; EARTH SHARE OF OREGON; EQUITY FOUNDATION; GLOBAL IMPACT; HABITAT FOR HUMANITY OF OREGON; MCKENZIE RIVER GATHERING FOUNDATION; REGIONAL ARTS AND CULTURE FUND; AND UNITED WAY OF COLUMBIA-WILLAMETTE. 2004 PARTICIPATING FUNDS/FEDERATIONS UNANIMOUSLY APPROVED.**

R-3 Authorizing Settlement of *Banks v. Multnomah County*, United States District Court Case No. 0403-03270

COMMISSIONER CRUZ MOVED AND COMMISSIONER NAITO SECONDED, APPROVAL OF R-3. AT CHAIR LINN'S REQUEST, COUNTY ATTORNEY SCOTT ASPHAUG EXPLANATION OF R-3 AND R-4, ADVISING THEY ARE IN SETTLEMENT OF TWO SEPARATE LAWSUITS IN WHICH MS. BANKS WAS SEXUALLY ASSAULTED, AND MS. BITTLER WAS SEXUALLY ASSAULTED AND MURDERED BY PAROLEE LADON STEPHENS WHO COMMITTED THE CRIMES WHILE UNDER THE SUPERVISION OF THE DEPARTMENT OF COMMUNITY JUSTICE. MR. ASPHAUG EXPLAINED THE LAWSUITS ALLEGE THE DEPARTMENT OF COMMUNITY JUSTICE WAS NEGLIGENT IN ITS SUPERVISION OF THE PAROLEE; AND THAT MS. BANKS' LAWSUIT ALSO ALLEGE THE DEPARTMENT'S POLICIES AND PRACTICES DENIED HER OF HER CIVIL RIGHTS. MR. ASPHAUG ADVISED THE PROPOSED SETTLEMENTS REFLECT THAT SUPERVISION ERRORS DID OCCUR AND AVOIDS THE EXPENSE OF TRIAL AND POTENTIAL VERDICT AGAINST THE COUNTY. AT THE REQUEST OF CHAIR LINN, COMMUNITY JUSTICE DIRECTOR JOANNE FULLER EXPLAINED THAT SIGNIFICANT IMPROVEMENTS TO THE SUPERVISION AND TREATMENT OF SEX OFFENDERS HAVE BEEN UNDERTAKEN THIS PAST YEAR, INCLUDING THE ADDITION OF A MANAGER TO OVERSEE THE SEX OFFENDER SUPERVISION PROGRAM; DECREASED CASE LOAD OF PAROLE AND PROBATION OFFICERS SUPERVISING SEX OFFENDERS; PROVISION OF CLINICAL DATA; AND REVAMPED SEX OFFENDER TREATMENT PROVIDER CONTRACTS TO ASSURE THEY MEET NATIONAL STANDARDS. COMMISSIONER NAITO ACKNOWLEDGED THE TRAGIC CIRCUMSTANCES OF THESE CASES AND EXPRESSED HER SYMPATHY FOR THE FAMILIES AND HER SUPPORT FOR THE DEPARTMENTAL CHANGES. AUTHORIZATION UNANIMOUSLY APPROVED.

R-4 Authorizing Settlement of *Bittler v. Multnomah County*, Multnomah County Circuit Court Case No. 0312-13389

**COMMISSIONER ROJO MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF R-4. SCOTT ASPHAUG EXPLAINED THE SETTLEMENT RATIONALE, ADVISING IT REFLECTS THAT SUPERVISION ERRORS DID OCCUR AND AVOIDS THE EXPENSE OF TRIAL AND POTENTIAL VERDICT AGAINST THE COUNTY. COMMUNITY JUSTICE DIRECTOR JOANNE FULLER STATED THAT THIS IS A VERY TRAGIC SITUATION AND SHE IS PLEASED THE PARTIES HAVE REACHED SETTLEMENT. MS. FULLER ADDED THAT THE DEPARTMENT WILL CONTINUE TO STRINGENTLY MONITOR SEX OFFENDERS. AUTHORIZATION UNANIMOUSLY APPROVED.**

R-5 RESOLUTION Approving Ballot Title and Explanatory Statement for the Willamette Electric People's Utility District Election on District Formation and Levy for Report and Election Under ORS 261.355(1)

**COMMISSIONER CRUZ MOVED AND COMMISSIONER ROBERTS SECONDED, APPROVAL OF R-5. JOHN THOMAS EXPLANATION, ADVISING THERE HAS BEEN NO OBJECTIONS FROM PETITIONERS. RESOLUTION 04-098 UNANIMOUSLY ADOPTED.**

**DEPARTMENT OF COMMUNITY JUSTICE**

R-6 Briefing on Progress in Implementing Phase III in the Redesign of Adult Community Justice Supervision Practices. Presented by Joanne Fuller, Steve Liday and Don Trapp. 45 MINUTES REQUESTED.

**JOANNE FULLER AND DON TRAPP PRESENTATION AND RESPONSE TO BOARD QUESTIONS.**

*There being no further business, the regular meeting was adjourned at 10:29 a.m.*

Thursday, July 15, 2004 - 10:45 AM  
**(OR IMMEDIATELY FOLLOWING REGULAR MEETING)**  
Multnomah Building, First Floor Commissioners Conference Room 112  
501 SE Hawthorne Boulevard, Portland

## **EXECUTIVE SESSION**

*Chair Diane Linn convened the meeting at 10:31 a.m., with Vice-Chair Serena Cruz and Commissioners Lisa Naito, Lonnie Roberts and Maria Rojo de Steffey present.*

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

### ***EXECUTIVE SESSION HELD.***

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

BOARD CLERK FOR MULTNOMAH COUNTY, OREGON

***Deborah L. Bogstad***



Multnomah County Oregon

# Board of Commissioners & Agenda

connecting citizens with information and services

## BOARD OF COMMISSIONERS

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Portland, Or 97214

Phone: (503) 988-3308 FAX (503) 988-3093

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## JULY 15, 2004

## BOARD MEETING

### FASTLOOK AGENDA ITEMS OF INTEREST

Pg 2	9:30 a.m. Opportunity for Public Comment on Non-Agenda Matters
Pg 2	9:30 a.m. Appointment of the Charitable Giving Campaign Management Council
Pg 2	9:40 a.m. Approval of 2004 Charitable Giving Campaign Participating Funds/Federations
Pg 2	9:45 a.m. Resolution Approving Ballot Title and Explanatory Statement for the Willamette Electric People's Utility District Election on District Formation and Levy for Report and Election Under ORS 261-355(1)
Pg 3	10:00 a.m. Briefing Update on Implementing Phase III in the Redesign of Adult Community Justice Supervision Practices
Pg 3	10:45 a.m. Executive Session if Needed

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Thursday, July 15, 2004 - 9:30 AM  
Multnomah Building, First Floor Commissioners Boardroom 100  
501 SE Hawthorne Boulevard, Portland

## **REGULAR MEETING**

### **CONSENT CALENDAR - 9:30 AM**

#### **SHERIFF'S OFFICE**

- C-1 Government Contract (190 Agreement) 0310511 with the City of Maywood Park, to Provide Law Enforcement Services and Patrols within the City of Maywood Park

### **REGULAR AGENDA - 9:30 AM**

#### **PUBLIC COMMENT - 9:30 AM**

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

### **NON-DEPARTMENTAL - 9:30 AM**

- R-1 Appointment of Jon Chess, Delma Farrell, Christine Horstman, Sue Lewis, Jon Marquardt, Patsy Moushey, Theresa Sullivan and Stephen Wright to the 2004 CHARITABLE GIVING CAMPAIGN MANAGEMENT COUNCIL
- R-2 Approval of 2004 Charitable Giving Campaign Participating Funds/Federations
- R-3 Authorizing Settlement of *Banks v. Multnomah County*, United States District Court Case No. 0403-03270
- R-4 Authorizing Settlement of *Bittler v. Multnomah County*, Multnomah County Circuit Court Case No. 0312-13389
- R-5 RESOLUTION Approving Ballot Title and Explanatory Statement for the Willamette Electric People's Utility District Election on District Formation and Levy for Report and Election Under ORS 261.355(1)

**DEPARTMENT OF COMMUNITY JUSTICE - 10:00 AM**

- R-6 Briefing on Progress in Implementing Phase III in the Redesign of Adult Community Justice Supervision Practices. Presented by Joanne Fuller, Steve Liday and Don Trapp. 45 MINUTES REQUESTED.
- 

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**EXECUTIVE SESSION - IF NEEDED**

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

# AGENDA PLACEMENT REQUEST

BUD MOD #:

**Board Clerk Use Only:**

Meeting Date: July 15, 2004

Agenda Item #: C-1

Est. Start Time: 9:30 AM

Date Submitted: 07/06/04

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**Requested Date:** July 15, 2004

**Time Requested:** N/A

**Department:** Sheriff's Office

**Division:** Enforcement

**Contact/s:** Brad Lynch

**Phone:** 503-988-4336

**Ext.:** 84336

**I/O Address:** 503/350

**Presenters:** Consent Calendar

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**Agenda Title:** Government Contract (190 Agreement) 0310511 with the City of Maywood Park, to Provide Law Enforcement Services and Patrols within the City of Maywood Park

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

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1. **What action are you requesting from the Board? What is the department/agency recommendation?** Approval of Government Contract.
2. **Please provide sufficient background information for the Board and the public to understand this issue.** The Sheriff's Office provides patrols within the city limits of Maywood Park. In turn, Maywood Park reimburses the Sheriff's Office for the cost of a patrol deputy for eight hours a week for the 2005 fiscal year. This agreement has been in place at least since 1988.
3. **Explain the fiscal impact (current year and ongoing).** Maywood Park will pay \$21,204.00 for this service for fiscal year 2005.

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

**If a budget modification, explain:**

- ❖ What revenue is being changed and why?
- ❖ What budgets are increased/decreased?
- ❖ What do the changes accomplish?
- ❖ Do any personnel actions result from this budget modification? Explain.
- ❖ Is the revenue one-time-only in nature?
- ❖ If a grant, what period does the grant cover?
- ❖ When the grant expires, what are funding plans?

**NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)**

**If a contingency request, explain:**

- ❖ Why was the expenditure not included in the annual budget process?
- ❖ What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?
- ❖ Why are no other department/agency fund sources available?
- ❖ Describe any new revenue this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account.
- ❖ Has this request been made before? When? What was the outcome?

**If grant application/notice of intent, explain:**

- ❖ Who is the granting agency?
- ❖ Specify grant requirements and goals.
- ❖ Explain grant funding detail – is this a one time only or long term commitment?
- ❖ What are the estimated filing timelines?
- ❖ If a grant, what period does the grant cover?
- ❖ When the grant expires, what are funding plans?
- ❖ How will the county indirect and departmental overhead costs be covered?

4. **Explain any legal and/or policy issues.** This agreement has been reviewed by the County Attorney's Office.
5. **Explain any citizen and/or other government participation that has or will take place.** None other than stated above.

**Required Signatures:**

**Department/Agency Director:**



**Date: 07/06/04**

**Budget Analyst**

**By:**

**Date:**

**Dept/Countywide HR**

**By:**

**Date:**

# MULTNOMAH COUNTY CONTRACT APPROVAL FORM

Contract #: 0310511

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

Amendment #: \_\_\_\_\_

CLASS I	CLASS II	CLASS III A
Contracts \$75,000 and less per 12 month period	Contracts over \$75,000 per 12 month period	<input checked="" type="checkbox"/> Government Contracts (190 Agreement)
<input type="checkbox"/> Professional Services Contracts <input type="checkbox"/> PCRB Contracts <input type="checkbox"/> Maintenance Agreements <input type="checkbox"/> Licensing Agreements <input type="checkbox"/> Public Works Construction Contracts  <input type="checkbox"/> Architectural & Engineering Contracts <input type="checkbox"/> Revenue Contracts <input type="checkbox"/> Grant Contracts <input type="checkbox"/> Non-Expenditure Contracts	<input type="checkbox"/> Professional Services Contracts <input type="checkbox"/> PCRB Contracts <input type="checkbox"/> Maintenance Agreements <input type="checkbox"/> Licensing Agreements <input type="checkbox"/> Public Works Construction Contracts  <input type="checkbox"/> Architectural & Engineering Contracts <input type="checkbox"/> Revenue Contracts <input type="checkbox"/> Grant Contracts <input type="checkbox"/> Non-Expenditure Contracts	<input type="checkbox"/> Expenditure <input type="checkbox"/> Non-Expenditure <input checked="" type="checkbox"/> Revenue <hr/> <div style="text-align: center;"><b>CLASS III B</b></div> <input type="checkbox"/> Government Contracts (Non-190 Agreement)  <input type="checkbox"/> Expenditure <input type="checkbox"/> Non-Expenditure <input type="checkbox"/> Revenue  <input type="checkbox"/> Interdepartmental Contracts

Department: Sheriff Division: Enforcement Date: 04/22/04  
 Originator: Chief Deputy Lee Graham Phone: 503-988-4308 Bldg/Rm: 503/350  
 Contact: Brad Lynch Phone: 503-988-4336 Bldg/Rm: 503/350

Description of Contract: Provide general law enforcement services and additional patrol within the corporate city limits of Maywood Park.

RENEWAL:  PREVIOUS CONTRACT #(S): 0010307, 0010307-1, 0111024, 0210045, 0210308  
 RFP/BID: \_\_\_\_\_ RFP/BID DATE: \_\_\_\_\_  
 EXEMPTION #: \_\_\_\_\_ ORS/AR #: \_\_\_\_\_  
 Effective DATE: \_\_\_\_\_ EXPIRATION DATE: \_\_\_\_\_  
 CONTRACTOR IS:  MBE  WBE  ESB  QRF State Cert# \_\_\_\_\_ or  Self Cert  Non-Profit  N/A (Check all boxes that apply)

Contractor <u>City of Maywood Park</u> Address <u>10100 NE Prescott St., Suite 147</u> City/State <u>Maywood Park, OR</u> ZIP Code <u>97220</u> Phone <u>503-255-9805 ATTN: Mark Hardie, Mayor</u>	Remittance address _____ (If different) _____ Payment Schedule / Terms <input type="checkbox"/> Lump Sum \$ _____ <input type="checkbox"/> Due on Receipt <input type="checkbox"/> Monthly \$ _____ <input type="checkbox"/> Net 30 <input type="checkbox"/> Other \$ _____ <input checked="" type="checkbox"/> Other
Employer ID# or SS# _____ Contract Effective Date <u>07/01/04</u> Term Date <u>06/30/05</u> Amendment Effect Date _____ New Term Date _____	<input type="checkbox"/> Requirements Funding Info: Original Requirements Amount \$ _____ Total Amt of Previous Amendments \$ _____ Requirements Amount Amendment: \$ _____ Total Amount of Requirements \$ _____
Original Contract Amount \$ <u>21,204.00</u> Total Amt of Previous Amendments \$ _____ Amount of Amendment \$ _____ Total Amount of Agreement \$ <u>21,204.00</u>	Original Requirements Amount \$ _____ Total Amt of Previous Amendments \$ _____ Requirements Amount Amendment: \$ _____ Total Amount of Requirements \$ _____

REQUIRED SIGNATURES:

Department Manager _____	DATE _____
Purchasing Manager _____	DATE _____
County Attorney <u>S.A.</u>	DATE <u>7-1-04</u>
County Chair <u>[Signature]</u>	DATE <u>7-15-04</u>
Sheriff <u>Bernie Giusto by LAG</u>	DATE <u>7-6-04</u>
Contract Administration _____	DATE _____

COMMENTS: \_\_\_\_\_

APPROVED: MULTNOMAH COUNTY  
 BOARD OF COMMISSIONERS  
 AGENDA # \_\_\_\_\_ DATE 5-2-04

**GOVERNMENT CONTRACT (190 AGREEMENT)**

This is an Agreement between the City of Maywood Park (City) and the Multnomah County Sheriff's Office (MCSO or County), pursuant to authority granted in ORS Chapter 190.

**PURPOSE:**

The purpose of this agreement is for MCSO to provide Enforcement Patrols within the city limits of Maywood Park.

The parties agree as follows:

1. **TERM** The term of this agreement shall be from July 1, 2004 to June 30, 2005 unless terminated as outlined in section 4 below. This agreement may be renewed annually by mutual agreement of both parties within 90 days of expiration.
2. **RESPONSIBILITIES OF MCSO**
  - a) MCSO agrees to provide police service within the corporate limits of the CITY. The police services shall include the duties and enforcement functions customarily rendered by the MCSO under the statutes of the State of Oregon and the CITY. These services shall include response to emergency situations where life and property are in danger, criminal law enforcement, traffic enforcement, and similar law enforcement activities within the legal authority of the MCSO to provide. The MCSO and CITY agree to meet and discuss which CITY ordinances the MCSO will enforce. The parties agree that ORS 206.345(2), which provides, "*During the existence of the contract, the Sheriff and the deputies of the Sheriff shall exercise such authority as may be vested in them by terms of the contract, including full power and authority to arrest for violation of all duly enacted ordinances of the contracting city,*" shall prevail and both parties shall perform accordingly.
  - b) All personnel provided by the MCSO in the performance of this contract shall be MCSO officers and employees. The CITY shall have no liability for any salaries, wages, workmen's compensation, or incidental personal expenses to any MCSO officers and employees engaged in such performance.
  - c) MCSO agrees to provide all necessary labor, supervision, equipment, communication facilities, and supplies necessary to provide the services described herein.
  - d) MCSO shall make available for the performance of the services described herein properly supervised deputy sheriffs, certified as police officers by the Oregon Board on Police Standards and Training. The MCSO shall assign armed, uniformed deputy sheriffs to the CITY consistent with the MCSO'S scheduling and districting for other areas of Multnomah County. Subject to the MCSO's scheduling needs, the MCSO agrees to assign the same deputy sheriffs to patrol the CITY, to ensure that the CITY receives consistent service.
  - e) The MCSO agrees to provide patrols, and will respond to calls for service seven days per week, within the CITY limits. The total patrol time, including response to calls for service, in a given week shall be eight hours. The hours per week can be adjusted up or down by two (2) hours by the CITY. The parties agree that a portion of the aggregate weekly total hours will be devoted to traffic enforcement, including the use of radar and other traditional traffic enforcement methods, on the main state,

county and city streets within the CITY. The parties agree that the CITY may identify special traffic problems for targeted traffic enforcement within the CITY.

- f) MCSO agrees to provide follow-up investigation of reported criminal activities at a level not less than the follow-up investigation level provided to the unincorporated areas of Multnomah County.
- g) MCSO shall designate a representative of the Sheriff's Office to address special requests from the CITY. The name of such representative will be provided to the Mayor of Maywood Park.
- h) MCSO agrees that non-criminal records generated under this contract shall be made available to the CITY to audit and examine. The CITY agrees that any audit shall be arranged by contacting the Sheriff or his representative at least 10 working days prior to the commencement of the audit and shall be conducted at any time during normal working hours.
- i) MCSO shall provide to CITY a monthly report that includes summary reports on criminal occurrences, a synopsis of enforcement and other activities related to community policing. The report will continue to document and report numbers of incidents to which MCSO responded and the amount of time spent on incidents, neighborhood patrol and investigations.
- j) MCSO shall provide to CITY a copy of an enforcement report whose form, content and duration shall be mutually determined and delivered to the "Liaison to Law Enforcement" 10106 N.E. Shaver, Maywood Park, OR 97220.
- k) MCSO will provide an officer at the regular monthly City Council meetings to orally inform the Council of service demands and any identified areas of concern.

**3. RESPONSIBILITIES OF CITY.** The CITY agrees to:

- a) The CITY agrees that all matters incident to the performance of the services provided hereunder, including standards of performance, and supervision and discipline of assigned personnel, shall be and remain the responsibility of the MCSO. The CITY further agrees that the assigned personnel provide hereunder by MCSO shall be and remain employees of the COUNTY. The assigned personnel shall be supervised by MCSO and shall perform their duties in accordance with the administrative and operational procedures of the MCSO.
- b) The CITY shall designate in writing a representative who shall be authorized to request special emergency patrols or responses from the MCSO.
- c) The CITY shall pay MCSO \$21,204.00 for 416 hours of patrol services as provided in Section 2 above for the term of this Agreement.
- d) Payment of such services is to be made on a semi-annual basis. MCSO will bill the CITY on December 1, 2004 with payment due by December 31, 2004; and MCSO will bill the CITY on June 1, 2005 with payment due June 30, 2005. Payments will be mailed to:

Sharon Lowell  
Multnomah County Sheriff's Office  
501 SE Hawthorne, Suite 350  
Portland, OR 97214

- e) Scheduling, payment of salary, benefits, and all other employee rights shall be in compliance with the negotiated contract between the Multnomah County Deputy Sheriff's Association and Multnomah County.

4. **TERMINATION** This agreement may be terminated by either party upon 90 days written notice.

5. **INDEMNIFICATION** Subject to the conditions and limitations of the Oregon Constitution and the Oregon Tort Claims Act, ORS 30.260 through 30.300, County shall indemnify, defend and hold harmless CITY from and against all liability, loss and costs arising out of or resulting from the acts of County, its officers, employees and agents in the performance of this agreement. Subject to the conditions and limitations of the Oregon Constitution and the Oregon Tort Claims Act, ORS 30.260 through 30.300 shall indemnify, defend and hold harmless County from and against all liability, loss and costs arising out of or resulting from the acts of CITY, its officers, employees and agents in the performance of this agreement.

6. **INSURANCE** Each party shall each be responsible for providing worker's compensation insurance as required by law. Neither party shall be required to provide or show proof of any other insurance coverage.

7. **ADHERENCE TO LAW** Each party shall comply with all federal, state and local laws and ordinances applicable to this agreement.

8. **NON-DISCRIMINATION** Each party shall comply with all requirements of federal and state civil rights and rehabilitation statutes and local non-discrimination ordinances.

9. **ACCESS TO RECORDS** Each party shall have access to the books, documents and other records of the other which are related to this agreement for the purpose of examination, copying and audit, unless otherwise limited by law.

10. **SUBCONTRACTS AND ASSIGNMENT** Neither party will subcontract or assign any part of this agreement without the written consent of the other party.

11. **THIS IS THE ENTIRE AGREEMENT** This Agreement constitutes the entire Agreement between the parties. The MCSO and CITY agree that this Agreement may be modified or amended by mutual agreement of the parties. Any modification to this Agreement shall be effective only when incorporated herein by written amendments and signed by both CITY and the Multnomah County Sheriff, and approved by the Multnomah County Board of Commissioners.

12. **CONTRACT ADMINISTRATION**

- a) The Sheriff or his designated representative will represent the MCSO in all matters pertaining to this Agreement.
- b) The City will designate a person as "Liaison to Law Enforcement" from the Mayor's Office to represent the city.
- c) Any notice or notices provided for by this Agreement or by law to be given or served upon the MCSO shall be given or served by letter deposited in the United States mail, postage prepaid, and addressed:

Chief Deputy Lee Graham  
Multnomah County Sheriff's Office  
501 SE Hawthorne Blvd., Suite 350  
Portland, Oregon 97214

- d) Any notice or notices provided for by this agreement or by law to be given or served upon City may be given or served by letter deposited in United States mail, postage prepaid and addressed:  
 City of Maywood Park  
 10100 NE Prescott  
 #147  
 Maywood Park OR 97220

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized officers on the date written below.

CITY OF MAYWOOD PARK

MULTNOMAH COUNTY

By: \_\_\_\_\_  
Mark Hardie, Mayor

By: Bernie Giusto by LAG  
Bernie Giusto, Sheriff

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

Date: 7-6-04

By: Diane M. Linn  
Diane M. Linn, County Chair

Date: 7.15.04

By: \_\_\_\_\_  
City Recorder

REVIEWED:  
County Counsel  
for Multnomah County, Oregon

By: S.A.  
Assistant Counsel

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

Date: 7-1-04

# 1

MULTNOMAH COUNTY BOARD OF COMMISSIONERS  
PUBLIC TESTIMONY SIGN-UP

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

MEETING DATE: 7/15/04  
SUBJECT: SAVE MONTAVILLA'S LIBRARY

AGENDA NUMBER OR TOPIC:

FOR:  AGAINST: \_\_\_\_\_ THE ABOVE AGENDA ITEM

NAME: SANDRA MCDANIEL

ADDRESS: 1435 NE 73

CITY/STATE/ZIP: PHD OR 97213

PHONE: \_\_\_\_\_ DAYS: 257-3346 EVES: SAME

EMAIL: \_\_\_\_\_ FAX: \_\_\_\_\_

SPECIFIC ISSUE: READING MELISSA ROTHS PUBLIC COMMENT.

WRITTEN TESTIMONY:

to follow.

**IF YOU WISH TO ADDRESS THE BOARD:**

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

**IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:**

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

As a citizen of the Montavilla Neighborhood, I am testifying today to stop the sale of the Montavilla Library. I am fortunate to live in a diverse neighborhood, listed as one of five up and coming neighborhoods in the Portland Monthly magazine. I have lived in this neighborhood since I came to live in Portland in the summer of 2000. Like many other young couples with children, my husband and I bought a house in this neighborhood for many reasons. It is the largest of the 95 neighborhoods in the city of Portland with over 15,000 residents. I can walk to two neighborhood markets, a larger grocery store, several restaurants, three city parks, and three elementary schools all within 1/2 mile from my home. However, each week, I drive 2.5 miles to the nearest library to take my 14 month old son to Story Time.

This may not seem an excessive distance. And for a person with access to a car, it is quite reasonable. But it seems odd that a resident in the largest populated neighborhood in the city, and one of the biggest in size would have to cross a major freeway and several arterials in order to have access to the public library. If I relied on public transportation, I would need to walk 1/2 mile to catch the bus which comes closest to the library. Again, this is quite reasonable for an able bodied person. But take into account ~~take~~ those older members of our neighborhood and those with small children, the hassle of getting there might seem to outweigh the benefit. And then there are the many English Language Learners in our community, both adult and children, who need

access to our libraries, but may not realize this resource because of the distance.

Our library system is one of the best in the nation. As an educator, I am continually impressed with the Youth librarians' deep understanding of literacy skills and the curriculum used in story times and in the Toddler and Preschool "It in the Bag" curriculum. In our current school funding drought, the library's resources are key to preventing illiteracy in our community. They help children come prepared to learn at school, and expand that knowledge once in school. But that isn't happening for the majority of residents in my neighborhood, and you are responsible to them.

I find it disturbing that the county removed the deed of restriction to the property that could provide a neighborhood library. And I find it even more unsettling that's it being sold. I ask you to stop the sale of the property and consider the intent for which the land was purchased.

Respectfully Submitted,

Melissa Roth  
8046 SE Yamhill Street  
Portland, OR 97215

#2

MULTNOMAH COUNTY BOARD OF COMMISSIONERS  
PUBLIC TESTIMONY SIGN-UP

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

MEETING DATE: 7/15/04  
SUBJECT: Montwill Library

AGENDA NUMBER OR TOPIC: \_\_\_\_\_

FOR: \_\_\_\_\_ AGAINST: \_\_\_\_\_ THE ABOVE AGENDA ITEM

NAME: Mauve Wright

ADDRESS: 1505 SE Madison St

CITY/STATE/ZIP: Portland OR 97214

PHONE: \_\_\_\_\_ DAYS: 233 9383 EVES: \_\_\_\_\_

EMAIL: \_\_\_\_\_ FAX: \_\_\_\_\_

SPECIFIC ISSUE: \_\_\_\_\_

WRITTEN TESTIMONY: \_\_\_\_\_

**IF YOU WISH TO ADDRESS THE BOARD:**

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

**IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:**

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

**The Parish of ss. Peter and Paul**  
**8147 SE Pine Street, Portland, Oregon 97215**  
**(503) 254-8168** [angcath@pacifier.com](mailto:angcath@pacifier.com)  
*Office of the Rector*

May 19, 2004

Multnomah County Commissioners  
Portland, Oregon

Dear Commissioners:

On May 6 I appeared before you and appealed for the stay of sale of the former Montavilla Library building on 211 SE 80<sup>th</sup> St. I asked that you consider the original purpose of the donation of the property and its long use in service to the Montavilla neighborhood. You graciously heard me and directed me to the office and officials overseeing the sale process.

Since then, a groundswell of consensus among neighbors in the Montavilla area has grown and members of this growing coalition have come here today. It is in solidarity with them that I have again come before you.

Nothing is as exciting in neighborhood life as when energy, vision, and consensus combine and begin to move towards a goal. Ours is an age in which we again realize that the solidarity of neighbor with neighbor and hard work together makes meaningful change from which all benefit. In Montavilla that energy has been awakened and is growing, centering around the venerable library property. Honoring that takes nothing more than pausing a possible business transaction. The neighborhood and the County only stand to gain.

To honor this, I again request that the bidding process on the 211 SE 80<sup>th</sup> St. property be halted. I ask that a task force be formed or be allowed to form, consisting potentially of representatives of the Montavilla Neighborhood Association, Kiwanis, area churches including my own, businesses, schools, youth and recreational organizations, and all other invested parties, and be allowed an appreciable amount of time to work together to explore and implement uses for the property which both honor the original intent of its being a library as well as respond to other, newer needs. Our consensus is clear—that it is in the interest of

the neighborhood to honor the history and continuing need for a library and other community services and to retain the property in order to make this come about again. Once lost, the building and property or its equivalent may well not be re-acquired, and an opportunity for neighborhood-building and service to Portland residents will have been lost as well.

Yours in peace,

The Rev. Kurt Neilson+  
Rector, SS. Peter and Paul

# AGENDA PLACEMENT REQUEST

BUD MOD #:

**Board Clerk Use Only:**

Meeting Date: July 15, 2004

Agenda Item #: R-1

Est. Start Time: 9:30 AM

Date Submitted: 06/21/04

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Requested Date: July 15, 2004

Time Requested: 5 mins

Department: DBCS

Division: Finance, Budget & Tax

Contact/s: Theresa Sullivan

Phone: 503 988-3635

Ext.: 83635

I/O Address: 503/531

Presenters: Theresa Sullivan

---

Agenda Title: Appointment of 2004 Charitable Giving Campaign Management Council

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1. **What action are you requesting from the Board? What is the department/agency recommendation?**

Appointment of the following department representatives

Jon Chess, Libraries

Delma Farrell, Non-Departmental

Christine Horstman, DA's Office

Sue Lewis, Community Justice

Jon Marquardt, Health

Patsy Moushey, County Human Services

Theresa Sullivan, DBCS/Finance

Stephen Wright, Sheriff's Office

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

The departments have asked that the above employees be appointed as representatives for their department.

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

none

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

none

5. Explain any citizen and/or other government participation that has or will take place.  
none

**Required Signatures:**

Department/Agency Director:  Date: 06/21/04

Budget Analyst

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

Dept/Countywide HR

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

# AGENDA PLACEMENT REQUEST

BUD MOD #:

**Board Clerk Use Only:**

**Meeting Date: July 15, 2004**

**Agenda Item #: R-2**

**Est. Start Time: 9:35 AM**

**Date Submitted: 06/21/04**

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**Requested Date: July 15, 2004**

**Time Requested: 5 mins**

**Department: DBCS**

**Division: Finance, Budget & Tax**

**Contact/s: Theresa Sullivan**

**Phone: 503 988-3635**

**Ext.: 83635**

**I/O Address: 503/531**

**Presenters: Theresa Sullivan**

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**Agenda Title: Approval of the 2004 Charitable Giving Campaign Participating Funds / Federations**

---

**1. What action are you requesting from the Board? What is the department/agency recommendation?**

The Campaign Management Council recommends approval of the following organizations to participate in the 2004 County Charitable Giving Campaign.

	Term Expires
Black United Fund of Oregon	12/31/2005
Children's Trust Fund of Oregon	12/31/2005
Community Health Charities	12/31/2005
Earth Share of Oregon	12/31/2005
Equity Foundation	12/31/2005
Global Impact	12/31/2005
Habitat for Humanity of Oregon	12/31/2004
McKenzie River Gathering Foundation	12/31/2004
Regional Arts & Culture Fund (RACC)	12/31/2004
United Way of Columbia-Willamette	12/31/2005

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

Per MCC 9.630, the Campaign Management Council shall select organizations for the Board to certify and approve to participate in the County's campaign.

The funds/federations listed above all meet the qualification criteria set forth in MCC 9.630.

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

none

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

none

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

none

**Required Signatures:**

Department/Agency Director:



Date: 06/21/04

Budget Analyst

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

Date:

Dept/Countywide HR

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

Date:

# AGENDA PLACEMENT REQUEST

BUD MOD #:

**Board Clerk Use Only:**

**Meeting Date:** July 15, 2004  
**Agenda Item #:** R-3  
**Est. Start Time:** 9:40 AM  
**Date Submitted:** 07/07/04

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**Requested Date:** July 15, 2004

**Time Requested:** 5 Minutes

**Department:** Non-Departmental

**Division:** County Attorney

**Contact/s:** Agnes Sowle

**Phone:** 503-988-3138

**Ext.:**

**I/O Address:** 503/500

**Presenters:** Scott Erik Asphaug

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**Agenda Title:** Authorizing Settlement of Banks v. Multnomah County, United States District Court Case No. 0403-03270

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

- 
- 1. What action are you requesting from the Board? What is the department/agency recommendation?** Approve settlement of tort and civil rights litigation case Banks v. Multnomah County for \$150,000.
  - 2. Please provide sufficient background information for the Board and the public to understand this issue.** Ms. Banks was sexually assaulted by a parolee, Ladon Stephens, who at that time was under the supervision of the Department of Community Justice. Plaintiff alleged that DCJ was negligent in their supervision of Mr. Stephens and Ms. Banks assault was a reasonably foreseeable consequence of that negligence. Ms. Banks also alleged that DCJ's policies and practices denied her of her civil rights.

The proposed settlement presents an acceptable resolution of the lawsuit. The settlement reflects that supervision errors did occur and the potential of a verdict in favor of plaintiffs. The settlement avoids the expense of trial.

- 3. Explain the fiscal impact (current year and ongoing).** N/A

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

**If a budget modification, explain:**

- ❖ **What revenue is being changed and why?**
- ❖ **What budgets are increased/decreased?**
- ❖ **What do the changes accomplish?**
- ❖ **Do any personnel actions result from this budget modification? Explain.**
- ❖ **Is the revenue one-time-only in nature?**
- ❖ **If a grant, what period does the grant cover?**
- ❖ **When the grant expires, what are funding plans?**

**NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)**

**If a contingency request, explain:**

- ❖ **Why was the expenditure not included in the annual budget process?**
- ❖ **What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?**
- ❖ **Why are no other department/agency fund sources available?**
- ❖ **Describe any new revenue this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account.**
- ❖ **Has this request been made before? When? What was the outcome?**

**If grant application/notice of intent, explain:**

- ❖ **Who is the granting agency?**
- ❖ **Specify grant requirements and goals.**
- ❖ **Explain grant funding detail – is this a one time only or long term commitment?**
- ❖ **What are the estimated filing timelines?**
- ❖ **If a grant, what period does the grant cover?**
- ❖ **When the grant expires, what are funding plans?**
- ❖ **How will the county indirect and departmental overhead costs be covered?**

4. **Explain any legal and/or policy issues involved. On December 18, 2003, the Board adopted Resolution 03-171 delegating authority to the County Attorney to settle claims and litigation against the County or its employees in amounts up to \$25,000 per case. The County Attorney must obtain Board approval for all settlements of over \$25,000.**
5. **Explain any citizen and/or other government participation that has or will take place. N/A**

**Required Signatures:**

**Department/Agency Director:**



**Date: 07/07/04**

# AGENDA PLACEMENT REQUEST

BUD MOD #:

**Board Clerk Use Only:**

**Meeting Date: July 15, 2004**

**Agenda Item #: R-4**

**Est. Start Time: 9:45 AM**

**Date Submitted: 07/07/04**

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**Requested Date:** July 15, 2004

**Time Requested:** 5 Minutes

**Department:** Non-Departmental

**Division:** County Attorney

**Contact/s:** Agnes Sowle

**Phone:** 503-988-3138

**Ext.:**

**I/O Address:** 503/500

**Presenters:** Scott Erik Asphaug

---

**Agenda Title:** Authorizing Settlement of Bittler v. Multnomah County, Multnomah County Circuit Court Case No. 0312-13389

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

- 
- 1. What action are you requesting from the Board? What is the department/agency recommendation?** Approve settlement of tort litigation case Bittler v. Multnomah County for \$150,000.
  - 2. Please provide sufficient background information for the Board and the public to understand this issue.** The Bittler's daughter was sexually assaulted and murdered by a parolee, Ladon Stephens, who at that time was under the supervision of the Department of Community Justice. Plaintiff alleged that DCJ was negligent in their supervision of Mr. Stephens and Ms. Bittler's death was a reasonably foreseeable consequence of that negligence.

The proposed settlement presents an acceptable resolution of the lawsuit. The settlement reflects that supervision errors did occur and the potential of a verdict in favor of plaintiffs. The settlement avoids the expense of trial.

- 3. Explain the fiscal impact (current year and ongoing).** N/A

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

**If a budget modification, explain:**

- ❖ **What revenue is being changed and why?**
- ❖ **What budgets are increased/decreased?**
- ❖ **What do the changes accomplish?**
- ❖ **Do any personnel actions result from this budget modification? Explain.**
- ❖ **Is the revenue one-time-only in nature?**
- ❖ **If a grant, what period does the grant cover?**
- ❖ **When the grant expires, what are funding plans?**

**NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)**

**If a contingency request, explain:**

- ❖ **Why was the expenditure not included in the annual budget process?**
- ❖ **What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?**
- ❖ **Why are no other department/agency fund sources available?**
- ❖ **Describe any new revenue this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account.**
- ❖ **Has this request been made before? When? What was the outcome?**

**If grant application/notice of intent, explain:**

- ❖ **Who is the granting agency?**
- ❖ **Specify grant requirements and goals.**
- ❖ **Explain grant funding detail – is this a one time only or long term commitment?**
- ❖ **What are the estimated filing timelines?**
- ❖ **If a grant, what period does the grant cover?**
- ❖ **When the grant expires, what are funding plans?**
- ❖ **How will the county indirect and departmental overhead costs be covered?**

4. **Explain any legal and/or policy issues involved. On December 18, 2003, the Board adopted Resolution 03-171 delegating authority to the County Attorney to settle claims and litigation against the County or its employees in amounts up to \$25,000 per case. The County Attorney must obtain Board approval for all settlements of over \$25,000.**
5. **Explain any citizen and/or other government participation that has or will take place. N/A**

**Required Signatures:**

**Department/Agency Director:**



**Date: 07/07/04**

# AGENDA PLACEMENT REQUEST

**BUD MOD #:**

**Board Clerk Use Only:**

**Meeting Date:** July 15, 2004

**Agenda Item #:** R-5

**Est. Start Time:** 9:45 AM

**Date Submitted:** 07/12/04

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**Requested Date:** Thursday, July 15, 2004

**Time Requested:** 5 minutes

**Department:** Non-Departmental

**Division:** Chair's Office

**Contact/s:** Agnes Sowle

**Phone:** (503) 988-3138

**I/O Address:** 503/500

**Presenters:** Agnes Sowle

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**Agenda Title:** RESOLUTION Approving Ballot Titles and Explanatory Statements for Willamette Electric People's Utility District Election on District Formation and Levy For Report and Election Under ORS 261.355(1).

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

---

1. **What action are you requesting from the Board? What is the department/agency recommendation?** Adopt Resolution Approving Ballot Titles and Explanatory Statements for PUD Formation and Levy.
2. **Please provide sufficient background information for the Board and the public to understand this issue.** On April 26, 2004, an electors' petition was filed with Elections for formation of Willamette Electric People's Utility District (PUD). As required under ORS 261.161, on July 8, 2004, the Board determined the boundaries of the proposed PUD and called the election as required under ORS 261.171 for November 2, 2004. This resolution adopts the ballot titles and explanatory statements for PUD formation and the one-time special levy of six mills per one thousand dollars of assessed valuation (equal to \$0.60 per 100,000 dollars of assessed valuation). The one-time levy raises a total of about \$11,650 to finance an engineer's report and the election under ORS 261.355(1). The levy for a house with an assessed value of \$150,000 would be about 90 cents.
3. **Explain the fiscal impact (current year and ongoing).** N/A

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

**If a budget modification, explain: N/A**

- ❖ **What revenue is being changed and why?**
- ❖ **What budgets are increased/decreased?**
- ❖ **What do the changes accomplish?**
- ❖ **Do any personnel actions result from this budget modification? Explain.**
- ❖ **Is the revenue one-time-only in nature?**
- ❖ **If a grant, what period does the grant cover?**
- ❖ **When the grant expires, what are funding plans?**

**NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)**

**If a contingency request, explain: N/A**

- ❖ **Why was the expenditure not included in the annual budget process?**
- ❖ **What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?**
- ❖ **Why are no other department/agency fund sources available?**
- ❖ **Describe any new revenue this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account.**
- ❖ **Has this request been made before? When? What was the outcome?**

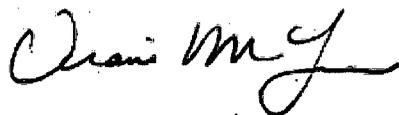
**If grant application/notice of intent, explain: N/A**

- ❖ **Who is the granting agency?**
- ❖ **Specify grant requirements and goals.**
- ❖ **Explain grant funding detail – is this a one time only or long term commitment?**
- ❖ **What are the estimated filing timelines?**
- ❖ **If a grant, what period does the grant cover?**
- ❖ **When the grant expires, what are funding plans?**
- ❖ **How will the county indirect and departmental overhead costs be covered?**

4. **Explain any legal and/or policy issues.** Submits the question of district formation and special levy as required under ORS 261.171.
5. **Explain any citizen and/or other government participation that has or will take place.** None.

**Required Signatures:**

**Department/Agency Director:**



**Date: 7/12/2004**

**BOGSTAD Deborah L**

---

**From:** KINOSHITA Carol  
**Sent:** Thursday, July 08, 2004 3:51 PM  
**To:** SAMPLE Christopher E; KAUFFMAN John  
**Cc:** SOWLE Agnes; TUNEBERG Kathleen A; RICHARDSON Richard H; RILES John R; THOMAS John S; BOGSTAD Deborah L; STODDARD Janice L  
**Subject:** RE: PUD

Here's the legal description that John Thomas has revised and Janice has approved:

A portion of Multnomah County, within the City of Portland, as follows: starting at the intersection of the extended centerline of NE Flanders and the centerline of the Willamette River, then south along the centerline of the Willamette River to the midpoint of the Ross Island Bridge, then east along the centerline of Ross Island Bridge to the east bank of the Willamette River, then south along the east bank of the Willamette River to a westerly extension of SE Holgate Blvd, then east along the centerline of SE Holgate Blvd (and its westerly extension) to the centerline of SE 42nd Ave, then north along the centerline of SE 42nd Ave to the centerline SE Powell Blvd, then east along the centerline of SE Powell Blvd to the centerline of SE 52nd Ave, then north along the centerline of SE 52nd Ave to the centerline of SE Division St, then west along the centerline of SE Division St to the centerline of SE 50th Ave, then north along the centerline of SE 50th Ave to the centerline of SE Hawthorne Blvd, then west along the centerline of SE Hawthorne Blvd to the centerline of SE 49th Ave, then north along the centerline of SE 49th Ave to the centerline of SE Stark St, then west along the centerline of SE Stark St to the centerline of SE 32nd Ave, then north along the centerline of SE 32nd Ave to the centerline of SE Ankeny St, then east along the centerline of SE Ankeny St to the centerline of SE 32nd Ave, then north along the centerline of SE 32nd Ave to the centerline of Interstate-84, then west along the centerline of Interstate-84 to the extended centerline of NE Flanders then along the extended center line of NE Flanders to the centerline of the Willamette River and the point of beginning.

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

**From:** KINOSHITA Carol  
**Sent:** Thursday, July 08, 2004 2:40 PM  
**To:** STODDARD Janice L  
**Cc:** SOWLE Agnes; TUNEBERG Kathleen A; RICHARDSON Richard H; RILES John R; THOMAS John S; BOGSTAD Deborah L; KAUFFMAN John; SAMPLE Christopher E  
**Subject:** RE: PUD

Thank you for the prompt revised map that I'm attaching to this email. We also need you to revise the legal description. If the PGE and Pacific Power boundary cited in Bernie Bottomly's testimony is not sufficient for you to do this, please let us know. Thanx much!

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

**From:** STODDARD Janice L  
**Sent:** Thursday, July 08, 2004 2:35 PM  
**To:** KINOSHITA Carol; KAUFFMAN John; SAMPLE Christopher E  
**Cc:** SOWLE Agnes; TUNEBERG Kathleen A; RICHARDSON Richard H; RILES John R; THOMAS John S; BOGSTAD Deborah L  
**Subject:** RE: PUD

7/8/2004

Carol,

You should have just received a new PDF for the revised boundary. We were able to show what we felt was a fair interpretation of the testimony of Bernie Bottomly for the long standing agreement between PGE and Pacific Power to change a small piece of the boundary. I believe this will be adequate enough for the publication. When the revision for the boundary description is complete, it would be a good idea for us to review that document to see how adequate our interpretation was. Hopefully it will wash out. It also would be a good idea to know what or who the "2 Pacific Power Customers" are. The revision excluded more than 2 accounts, but still may be two customers.

## Janice L. Stoddard

Assessment & Taxation  
(503) 988-3375  
FAX (503) 9885504  
[Janice.L.Stoddard@co.multnomah.or.us](mailto:Janice.L.Stoddard@co.multnomah.or.us)

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

**From:** KINOSHITA Carol  
**Sent:** Thursday, July 08, 2004 2:15 PM  
**To:** KAUFFMAN John; SAMPLE Christopher E  
**Cc:** SOWLE Agnes; STODDARD Janice L; TUNEBERG Kathleen A; RICHARDSON Richard H; RILES John R; THOMAS John S; BOGSTAD Deborah L  
**Subject:** RE: PUD  
**Importance:** High

We've asked Janice for revised legal and map, and I believe she is advising John Riles about the exception of two Pacific Power customers for the revised estimated total levy amount. She understands the urgency, and I am requesting that a copy of the revised legal be sent directly to Eric Sample as soon as it's available. We also need to revise both today's resolution and the proposed ballot titles for next week. Thanx Janice!

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

**From:** KAUFFMAN John  
**Sent:** Thursday, July 08, 2004 2:04 PM  
**To:** SOWLE Agnes  
**Cc:** KINOSHITA Carol; SAMPLE Christopher E  
**Subject:** RE: PUD

Eric has already sent copy for the legal notice on formation and directors of The Willamette PUD to *The Oregonian* and we expect to get a draft back for proof-reading. Can we get a revised legal description today? If so, Eric can easily make the change. I will not be in the office this afternoon, so please email Eric. Thanks.

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

**From:** SOWLE Agnes  
**Sent:** Thursday, July 08, 2004 12:54 PM  
**To:** KAUFFMAN John  
**Cc:** KINOSHITA Carol  
**Subject:** PUD

In case you don't yet know, they did pass the resolution but amended the boundaries to exclude the two pacificorps customers mentioned by Mr. Bottomly. Carol is getting a revised legal description. Do you have enough to publish for the

7/8/2004

board positions?

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

**BOGSTAD Deborah L**

---

**From:** KINOSHITA Carol  
**Sent:** Thursday, July 08, 2004 12:28 PM  
**To:** SOWLE Agnes  
**Cc:** BOGSTAD Deborah L; THOMAS John S  
**Subject:** FW: Willamette Electric PUD

I took the change to Janice Stoddard who will revise the legal description (don't we need to revise the ballot statement to exclude the Pacific Power customers?) and map (she's aware of the time crunch) – she also said John Riles will need to revise the total levy estimate.

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

**From:** KINOSHITA Carol  
**Sent:** Thursday, July 08, 2004 12:22 PM  
**To:** 'Dan Meek'  
**Cc:** SOWLE Agnes; BOGSTAD Deborah L  
**Subject:** Willamette Electric PUD

Here is the ballot title resolution that Agnes asked me to send to you although it has not yet gone out to the Board or public. I understand there was a change to the PUD boundaries today so the documents and Exhibit 2 map will be changed to reflect the omission of the two PacificCorp customers.

7/8/2004

**BOGSTAD Deborah L**

**From:** KINOSHITA Carol  
**Sent:** Wednesday, July 07, 2004 11:04 AM  
**To:** THOMAS John S  
**Cc:** BOGSTAD Deborah L  
**Subject:** FW: Revised PUD docs

Hi John!

Here's the redlined version of the ballot titles attached to the resolution – I used the titles certified in Horton as the base. Are you finalizing the ballot titles? Deb just asked me about getting the finals for noon deadline today – Deb, please see attached APR for title. Thanx!

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

**From:** KINOSHITA Carol  
**Sent:** Monday, June 28, 2004 7:43 PM  
**To:** SOWLE Agnes  
**Cc:** BOGSTAD Deborah L  
**Subject:** Revised PUD docs

Hi Agnes!

I'm sorry, but in revising the ballot title resolution, I realized we should add a finding in the boundary resolution that the petition complies with ORS chapter 261 (to mirror the explanatory statement and ORS 261.171 "(1)...upon receipt of an elector's petition.....**which the county governing body finds to be in compliance with this chapter** shall, at the earliest practical date submit the question of district formation..."). And then I did some more tweaking to more closely mirror ORS 261.161. As you'll recall, the resolution on the Multnomah County PUD was quite lengthy with respect to the Energy Dept.'s report and testimony (proponents, opponents and written), so I felt we needed to stick more closely to the statute, especially since we're determining the boundaries at the same time as the hearing.

I've also attached redlined and clean versions of the ballot titles for your editing enjoyment. We should be getting the total levy estimate from John Riles to insert in the titles. We also received the written testimony from the Energy Dept. – please let me know if you'd like me or one of the law clerks to summarize or what you'd like done with the docs. Thanx!



WEPUD-ballotresWEPUD-ballotresAPR-WEPUD-ball  
6-28-04.doc (6...-redlined.doc (... ot.doc (54 KB)

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

**From:** KINOSHITA Carol  
**Sent:** Monday, June 28, 2004 4:26 PM  
**To:** SOWLE Agnes  
**Cc:** BOGSTAD Deborah L  
**Subject:** RE: PUD Territory Description Check

Thanx Agnes! Do you want me to send the APR and Reso. To the Chair's office? (if so, who should it go to - Andy? And probably should go to John Kauffman too)

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

**From:** SOWLE Agnes  
**Sent:** Monday, June 28, 2004 4:07 PM  
**To:** KINOSHITA Carol  
**Cc:** BOGSTAD Deborah L

Subject: RE: PUD Territory Description Check

Looks OK by me.

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

From: KINOSHITA Carol

To: SOWLE Agnes

Cc: BOGSTAD Deborah L

Sent: 6/28/2004 1:53 PM

Subject: FW: PUD Territory Description Check

Here's a revised resolution (the only thing I did was take off Exhibit B since we received just the map in pdf format; I marked the black and white map exhibit B but the color map may be clearer for onscreen viewing.

<<RES\_WEPUD-Boundaries.doc>>

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

From: RICHARDSON Richard H

Sent: Monday, June 28, 2004 12:23 PM

To: STODDARD Janice L; KINOSHITA Carol

Cc: TUNEBERG Kathleen A

Subject: RE: PUD Territory Description Check

<<ExB-WillamettePUDbw.pdf>> <<WillamettePUDcolor.pdf>>

**R-5**

Resolution will be provided by Monday, July 12.

(Legal description and boundary and total levy estimate to  
be revised per July 8 Board action.)

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

**RESOLUTION NO. \_\_\_\_\_**

Approving Ballot Title and Explanatory Statement for the Willamette Electric People's Utility District Election on District Formation and Levy for Report and Election Under ORS 261.355(1)

**The Multnomah County Board of Commissioners Finds:**

- a. On April 26, 2004, an electors' petition was filed with Multnomah County Elections Division (Elections) for formation of Willamette Electric People's Utility District (PUD) (Exhibit 1).
- b. On April 27, 2004, Elections certified the petition (ORS 261.131) and sent the petition to the Office of Energy (ORS 261.151) on April 28.
- c. On July 8, 2004, the Board found the petition complies with Oregon law, determined the boundaries as proposed in the petition (under ORS 261.161(4)), except for properties served by Pacific Power and Light, and shown on the map (Exhibit 2), and called the election for November 2, 2004.
- d. The ballot titles and explanatory statements for district formation and the levy have been prepared.

**The Multnomah County Board of Commissioners Resolves:**

1. The ballot titles and explanatory statements attached to this Resolution as Exhibits 3 and 4 are approved and certified to the Director of Multnomah County Division of Elections.
2. The Board Clerk shall submit this Resolution, and the ballot titles and explanatory statements to the Elections Director for further action as required by law.

ADOPTED this 15th day of July 2004.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

---

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By   
\_\_\_\_\_  
Agnes Sowle, County Attorney

**BALLOT TITLE**

**MEASURE NO. 26-**

**CAPTION:**

FORMS WILLAMETTE ELECTRIC PEOPLE'S UTILITY DISTRICT

**QUESTION:**

*Shall Willamette Electric People's Utility District be formed?*

**SUMMARY:**

Creates Willamette Electric People's Utility District (PUD) governed by a 5-member board elected from within the district. If approved, the PUD would include the area currently included in Multnomah County voting precincts 3274, 4022, 4027, 4041, 4049, 4065, 4106 and 4167, except for properties served by Pacific Power and Light.

## EXPLANATORY STATEMENT

MEASURE NO. 26

### **Forms Willamette Electric People's Utility District**

On April 26, 2004, an electors' petition was filed with Multnomah County Elections Division for formation of the Willamette Electric People's Utility District (PUD). On July 8, 2004, the Multnomah County Board of Commissioners found that the petition complies with Oregon law and determined the boundaries of the proposed petition as follows:

A portion of Multnomah County, within the City of Portland, as follows: starting at the intersection of the extended centerline of NE Flanders and the centerline of the Willamette River, then south along the centerline of the Willamette River to the midpoint of the Ross Island Bridge, then east along the centerline of Ross Island Bridge to the east bank of the Willamette River, then south along the east bank of the Willamette River to a westerly extension of SE Holgate Blvd, then east along the centerline of SE Holgate Blvd (and its westerly extension) to the centerline of SE 42nd Ave, then north along the centerline of SE 42nd Ave to the centerline SE Powell Blvd, then east along the centerline of SE Powell Blvd to the centerline of SE 52nd Ave, then north along the centerline of SE 52nd Ave to the centerline of SE Division St, then west along the centerline of SE Division St to the centerline of SE 50th Ave, then north along the centerline of SE 50th Ave to the centerline of SE Hawthorne Blvd, then west along the centerline of SE Hawthorne Blvd to the centerline of SE 49th Ave, then north along the centerline of SE 49th Ave to the centerline of SE Stark St, then west along the centerline of SE Stark St to the centerline of SE 32nd Ave, then north along the centerline of SE 32nd Ave to the centerline of SE Ankeny St, then east along the centerline of SE Ankeny St to the centerline of SE 32nd Ave, then north along the centerline of SE 32nd Ave to the centerline of Interstate-84, then west along the centerline of Interstate-84 to the extended centerline of NE Flanders then along the extended center line of NE Flanders to the centerline of the Willamette River and the point of beginning.

The boundaries include the area currently included in Multnomah County voting precincts 3274, 4022, 4027, 4041, 4049, 4065, 4106 and 4167, except for properties served by Pacific Power and Light.

The Measure will create the Willamette Electric People's Utility District comprised of the boundaries described above.

**BALLOT TITLE**

**MEASURE NO. 26-**

**CAPTION:**

AUTHORIZES WILLAMETTE ELECTRIC PEOPLE'S UTILITY DISTRICT TO IMPOSE SPECIAL LEVY

**QUESTION:**

If formed, shall Willamette Electric People's Utility District impose one-time special levy of \$0.006 per \$1000 assessed value?

**SUMMARY:**

The measure authorizes the Willamette Electric People's Utility District (PUD), if formed, to levy a tax of \$0.006 per \$1000 of assessed valuation to finance an engineer's report on revenue bonds for acquisition or construction of the utility system and the cost of an election to authorize revenue bonds, if held.

The one-time levy raises a total of about \$11,650 to pay for the engineer's report and the cost of the election, if held. The levy for a house with an assessed value of \$150,000 would be about 90 cents.

The estimated tax cost for this measure is an ESTIMATE ONLY based on the best information available from the county assessor at the time of estimate.

## EXPLANATORY STATEMENT

MEASURE NO. 26-

### **Authorize Willamette Electric People's Utility District Special Levy**

On April 26, 2004, an electors' petition was filed with Multnomah County Elections Division for formation of the Willamette Electric People's Utility District (PUD) to supply public utility service. As allowed by statute the elector's petition includes a proposal for the authorization of the district to impose a special levy of \$0.006 per \$1000 of assessed value to finance an engineer's report on revenue bonds for acquisition or construction of the utility system and the cost of an election to authorize revenue bonds, if held. On July 8, 2004, the Multnomah County Board of Commissioners found that the petition complies with Oregon law. The Board is required by law to submit the special levy to the electors in the affected territory.

The Measure would authorize the Willamette Electric People's Utility District (PUD), if formed, to levy a tax of \$0.006 per \$1000 of assessed valuation, to finance an engineer's report on revenue bonds for acquisition or construction of the utility system and the cost of an election to authorize revenue bonds, if held. The proposed levy would result in total estimated revenues of about \$11,650. The levy for a house with an assessed value of \$150,000 would be 90 cents. The levy would be a one time levy.

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

**RESOLUTION NO. 04-098**

Approving Ballot Title and Explanatory Statement for the Willamette Electric People's Utility District Election on District Formation and Levy for Report and Election Under ORS 261.355(1)

**The Multnomah County Board of Commissioners Finds:**

- a. On April 26, 2004, an electors' petition was filed with Multnomah County Elections Division (Elections) for formation of Willamette Electric People's Utility District (PUD) (Exhibit 1).
- b. On April 27, 2004, Elections certified the petition (ORS 261.131) and sent the petition to the Office of Energy (ORS 261.151) on April 28.
- c. On July 8, 2004, the Board found the petition complies with Oregon law, determined the boundaries as proposed in the petition (under ORS 261.161(4)), except for properties served by Pacific Power and Light, and shown on the map (Exhibit 2), and called the election for November 2, 2004.
- d. The ballot titles and explanatory statements for district formation and the levy have been prepared.

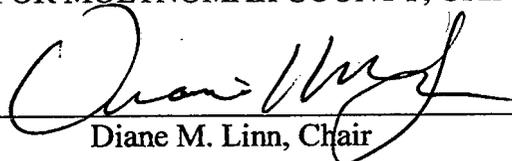
**The Multnomah County Board of Commissioners Resolves:**

1. The ballot titles and explanatory statements attached to this Resolution as Exhibits 3 and 4 are approved and certified to the Director of Multnomah County Division of Elections.
2. The Board Clerk shall submit this Resolution, and the ballot titles and explanatory statements to the Elections Director for further action as required by law.

ADOPTED this 15th day of July 2004.



BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

  
Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By   
Agnes Sowle, County Attorney

# ELECTORS' PETITION FOR FORMATION ELECTION FOR THE WILLAMETTE ELECTRIC PEOPLE'S UTILITY DISTRICT

To the Multnomah County Commissioners:

The Chief Petitioners, electors residing in Multnomah County, desire to form a utility district and request that an election be held, pursuant to ORS 261.105, on the question of whether to form the WILLAMETTE ELECTRIC PEOPLES' UTILITY DISTRICT (P.U.D.) in the following territory:

A portion of Multnomah County, within the City of Portland, as follows: starting at the midpoint of the Steel Bridge, south along the centerline of the Willamette River to the midpoint of the Ross Island Bridge, then east along the centerline of Ross Island Bridge to the east bank of the Willamette River, then south along the east bank of the Willamette River to a westerly extension of SE Holgate Blvd, then east along the centerline of SE Holgate Blvd (and its westerly extension) to the centerline of SE 42<sup>nd</sup> Ave, then north along the centerline of SE 42<sup>nd</sup> Ave to the centerline SE Powell Blvd, then east along the centerline of SE Powell Blvd to the centerline of SE 52<sup>nd</sup> Ave, then north along the centerline of SE 52<sup>nd</sup> Ave to the centerline of SE Division St, then west along the centerline of SE Division St to the centerline of SE 50<sup>th</sup> Ave, then north along the centerline of SE 50<sup>th</sup> Ave to the centerline of SE Hawthorne Blvd, then west along the centerline of SE Hawthorne Blvd to the centerline of SE 49<sup>th</sup> Ave, then north along the centerline of SE 49<sup>th</sup> Ave to the centerline of SE Stark St, then west along the centerline of SE Stark St to the centerline of SE 32<sup>nd</sup> Ave, then north along the centerline of SE 32<sup>nd</sup> Ave to the centerline of SE Ankeny St, then east along the centerline of SE Ankeny St to the centerline of SE 32<sup>nd</sup> Ave, then north along the centerline of SE 32<sup>nd</sup> Ave to the centerline of Interstate-84, then west along the centerline of Interstate-84 to the centerline of Interstate-5, then north along the centerline of Interstate-5 to the centerline of Lloyd Blvd, then west along the centerline of Lloyd Blvd to the centerline of NE Oregon St, then west along the centerline of NE Oregon St to the midpoint of the Steel Bridge.

It is the intent of the Chief Petitioners that the description above specifies the area currently included in Multnomah County voting precincts 3274, 4022, 4027, 4041, 4049, 4065, 4106 and 4167.

In the event the people within any one or more municipalities or separate parcels of territory within the proposed district vote against its formation, then that portion of the district which voted in favor of organization of a people's utility district may be organized into the district.

As required by ORS 261.113, the Chief Petitioners also propose the question of whether the P.U.D. shall be authorized to impose a one-time special levy of 6 mills per one thousand dollars of assessed valuation (equal to \$0.60 per 100,000 dollars of assessed valuation) to finance an engineer's report and the election under ORS 261.355(1).

## CHIEF PETITIONERS

George and Kristine Karnezis 948 SE 45th Ave Portland OR 97215 503-233-3335	Chris Kerchum 843 SE 30th Ave Portland OR 97214 503-230-7759	Oso Martin 4615 SE Sherman St Portland OR 97215 503-239-5679
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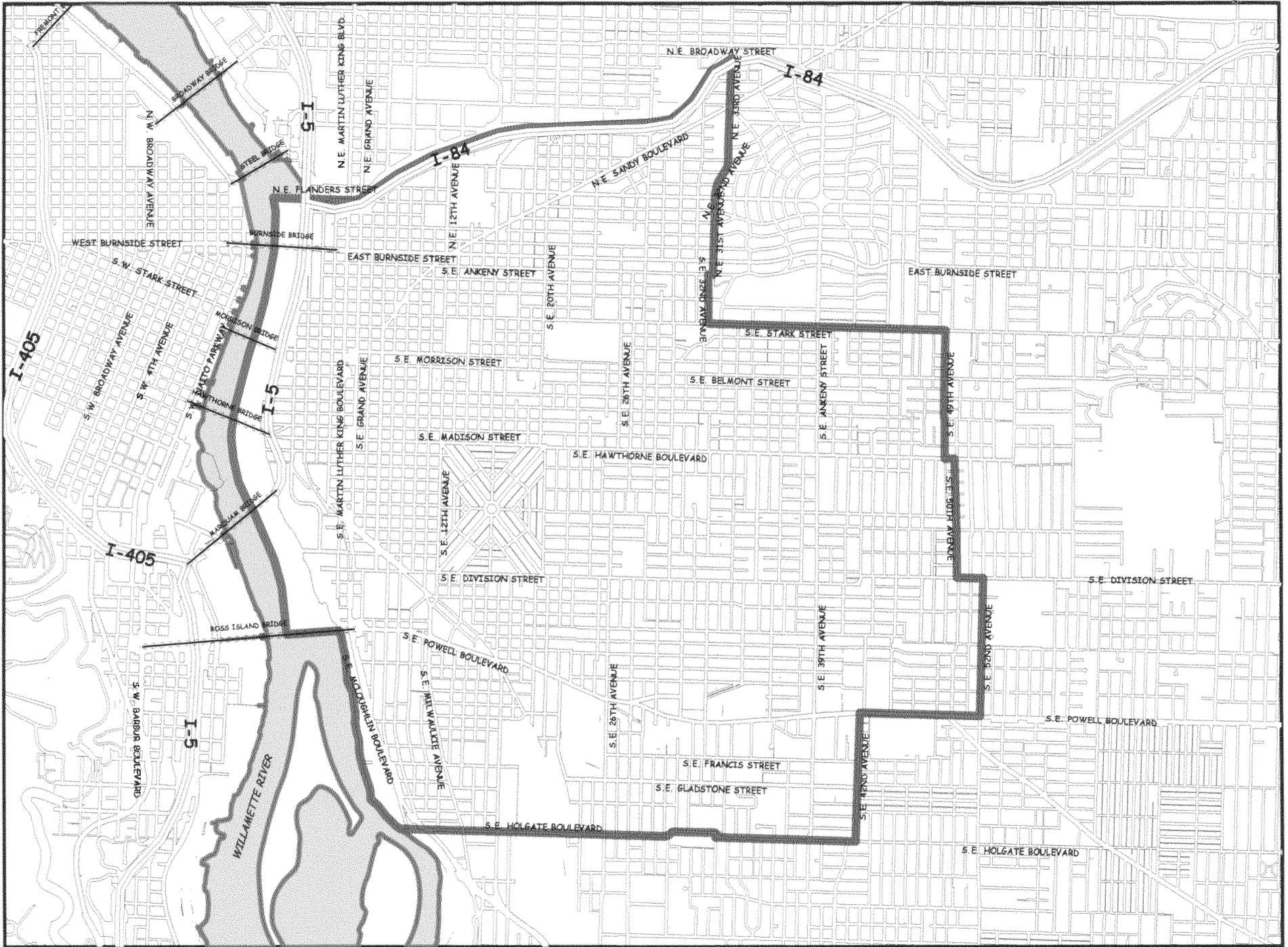


Exhibit 2

WILLAMETTE ELECTRIC PUD BOUNDARY:



**BALLOT TITLE**

**MEASURE NO. 26-55**

**CAPTION:**

FORMS WILLAMETTE ELECTRIC PEOPLE'S UTILITY DISTRICT

**QUESTION:**

*Shall Willamette Electric People's Utility District be formed?*

**SUMMARY:**

Creates Willamette Electric People's Utility District (PUD) governed by a 5-member board elected from within the district. If approved, the PUD would include the area currently included in Multnomah County voting precincts 3274, 4022, 4027, 4041, 4049, 4065, 4106 and 4167, except for properties served by Pacific Power and Light.

## **EXPLANATORY STATEMENT**

**MEASURE NO. 26-55**

### **Forms Willamette Electric People's Utility District**

On April 26, 2004, an electors' petition was filed with Multnomah County Elections Division for formation of the Willamette Electric People's Utility District (PUD). On July 8, 2004, the Multnomah County Board of Commissioners found that the petition complies with Oregon law and determined the boundaries of the proposed petition as follows:

A portion of Multnomah County, within the City of Portland, as follows: starting at the intersection of the extended centerline of NE Flanders and the centerline of the Willamette River, then south along the centerline of the Willamette River to the midpoint of the Ross Island Bridge, then east along the centerline of Ross Island Bridge to the east bank of the Willamette River, then south along the east bank of the Willamette River to a westerly extension of SE Holgate Blvd, then east along the centerline of SE Holgate Blvd (and its westerly extension) to the centerline of SE 42nd Ave, then north along the centerline of SE 42nd Ave to the centerline SE Powell Blvd, then east along the centerline of SE Powell Blvd to the centerline of SE 52nd Ave, then north along the centerline of SE 52nd Ave to the centerline of SE Division St, then west along the centerline of SE Division St to the centerline of SE 50th Ave, then north along the centerline of SE 50th Ave to the centerline of SE Hawthorne Blvd, then west along the centerline of SE Hawthorne Blvd to the centerline of SE 49th Ave, then north along the centerline of SE 49th Ave to the centerline of SE Stark St, then west along the centerline of SE Stark St to the centerline of SE 32nd Ave, then north along the centerline of SE 32nd Ave to the centerline of SE Ankeny St, then east along the centerline of SE Ankeny St to the centerline of SE 32nd Ave, then north along the centerline of SE 32nd Ave to the centerline of Interstate-84, then west along the centerline of Interstate-84 to the extended centerline of NE Flanders then along the extended center line of NE Flanders to the centerline of the Willamette River and the point of beginning.

The boundaries include the area currently included in Multnomah County voting precincts 3274, 4022, 4027, 4041, 4049, 4065, 4106 and 4167, except for properties served by Pacific Power and Light.

The Measure will create the Willamette Electric People's Utility District comprised of the boundaries described above.

**BALLOT TITLE**

**MEASURE NO. 26-56**

**CAPTION:**

**AUTHORIZES WILLAMETTE ELECTRIC PEOPLE'S UTILITY DISTRICT TO IMPOSE SPECIAL LEVY**

**QUESTION:**

If formed, shall Willamette Electric People's Utility District impose one-time special levy of \$0.006 per \$1000 assessed value?

**SUMMARY:**

The measure authorizes the Willamette Electric People's Utility District (PUD), if formed, to levy a tax of \$0.006 per \$1000 of assessed valuation to finance an engineer's report on revenue bonds for acquisition or construction of the utility system and the cost of an election to authorize revenue bonds, if held.

The one-time levy raises a total of about \$11,650 to pay for the engineer's report and the cost of the election, if held. The levy for a house with an assessed value of \$150,000 would be about 90 cents.

The estimated tax cost for this measure is an ESTIMATE ONLY based on the best information available from the county assessor at the time of estimate.

## EXPLANATORY STATEMENT

### MEASURE NO. 26-56

#### **Authorize Willamette Electric People's Utility District Special Levy**

On April 26, 2004, an electors' petition was filed with Multnomah County Elections Division for formation of the Willamette Electric People's Utility District (PUD) to supply public utility service. As allowed by statute the elector's petition includes a proposal for the authorization of the district to impose a special levy of \$0.006 per \$1000 of assessed value to finance an engineer's report on revenue bonds for acquisition or construction of the utility system and the cost of an election to authorize revenue bonds, if held. On July 8, 2004, the Multnomah County Board of Commissioners found that the petition complies with Oregon law. The Board is required by law to submit the special levy to the electors in the affected territory.

The Measure would authorize the Willamette Electric People's Utility District (PUD), if formed, to levy a tax of \$0.006 per \$1000 of assessed valuation, to finance an engineer's report on revenue bonds for acquisition or construction of the utility system and the cost of an election to authorize revenue bonds, if held. The proposed levy would result in total estimated revenues of about \$11,650. The levy for a house with an assessed value of \$150,000 would be 90 cents. The levy would be a one time levy.

# AGENDA PLACEMENT REQUEST

**BUD MOD #:**

**Board Clerk Use Only:**

**Meeting Date:** July 15, 2004

**Agenda Item #:** R-6

**Est. Start Time:** 10:00 AM

**Date Submitted:** 05/24/04

---

**Requested Date:** July 15, 2004

**Time Requested:** 45 minutes

**Department:** Department of Community Justice

**Division:** Adult Services Division

**Contact/s:** Robb Freda-Cowie

**Phone:** 503 988-5820

**Ext.:** 85820

**I/O Address:** 503/250

**Presenters:** Joanne Fuller, Steve Liday and Don Trapp

---

**Agenda Title:** Briefing on DCJ's Progress in Implementing Phase III in the Redesign of Adult Community Justice Supervision Practices

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

- 
- 1. What action are you requesting from the Board? What is the department/agency recommendation?** None. This is an informational briefing at the request of the Chair's office.
  - 2. Please provide sufficient background information for the Board and the public to understand this issue.**

A growing body of criminology research (begun in early 1990's by Dr. Don Andrews, et al.) has provided evidence that probation and parole supervision – combined with effective rehabilitation programs and sanction services – can be effective in reducing recidivism among offenders released into the community. This literature is commonly referred to in the corrections field as, "What Works."

The best practices described in the "What Works" literature are becoming the standard by which corrections services are being measured. Last legislative session, the Oregon

legislature passed SB 267, which requires agencies to use best practices or suffer reductions in funding, is further evidence of this trend.

Since 1997, the Department of Community Justice has been re-engineering its adult offender supervision program to incorporate "What Works" principles and strategies. These changes, implemented in three phases, have effectively altered the culture and climate of the organization, transforming how offenders are assessed and supervised, how outcomes are evaluated, how resources are allocated, and how parole/probation officers are trained.

Under the What Works model, supervision is focused on responding to the criminogenic factors that act as catalysts for criminal behavior. In the third phase of this initiative we have:

- Strengthened the process through which we assess the criminogenic factors for each new offender;
- Instituted a case planning process that tailors supervision strategies to respond to the unique factors that drive each case;
- Trained staff on motivational interviewing techniques that are aimed at promoting long-term behavioral change in the offender; and
- Institutionalized the What Works approach through practice and policy changes in the Department.

This briefing will update the Board on our progress in implementing the third phase of our What Works initiative and the outcomes that have been achieved so far.

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

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

**If a budget modification, explain:**

- ❖ **What revenue is being changed and why?**
- ❖ **What budgets are increased/decreased?**
- ❖ **What do the changes accomplish?**
- ❖ **Do any personnel actions result from this budget modification? Explain.**
- ❖ **Is the revenue one-time-only in nature?**
- ❖ **If a grant, what period does the grant cover?**
- ❖ **When the grant expires, what are funding plans?**

**NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)**

**If a contingency request, explain:**

- ❖ **Why was the expenditure not included in the annual budget process?**
- ❖ **What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?**
- ❖ **Why are no other department/agency fund sources available?**

- ❖ Describe any new revenue this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account.
- ❖ Has this request been made before? When? What was the outcome?

If grant application/notice of intent, explain:

- ❖ Who is the granting agency?
- ❖ Specify grant requirements and goals.
- ❖ Explain grant funding detail – is this a one time only or long term commitment?
- ❖ What are the estimated filing timelines?
- ❖ If a grant, what period does the grant cover?
- ❖ When the grant expires, what are funding plans?
- ❖ How will the county indirect and departmental overhead costs be covered?

4. Explain any legal and/or policy issues. N/A
5. Explain any citizen and/or other government participation that has or will take place. N/A

**Required Signatures:**



Department/Agency Director: \_\_\_\_\_

Date: May 21, 2004

Budget Analyst

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

Date:

Dept/Countywide HR

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

Date:



Multnomah County Department of Community Justice

# What Works in Probation and Parole

Doing "What Works":  
Phase III in the Redesign of Adult  
Community Justice

A Briefing to the Multnomah County  
Board of County Commissioners

July 8, 2004



Multnomah County Department of Community Justice

## What Works in Probation and Parole

### What is "What Works"?

**"What Works"** is a term nationally used in corrections which refers to a set of common evidence-based principles and practices that have been shown to reduce offender recidivism.



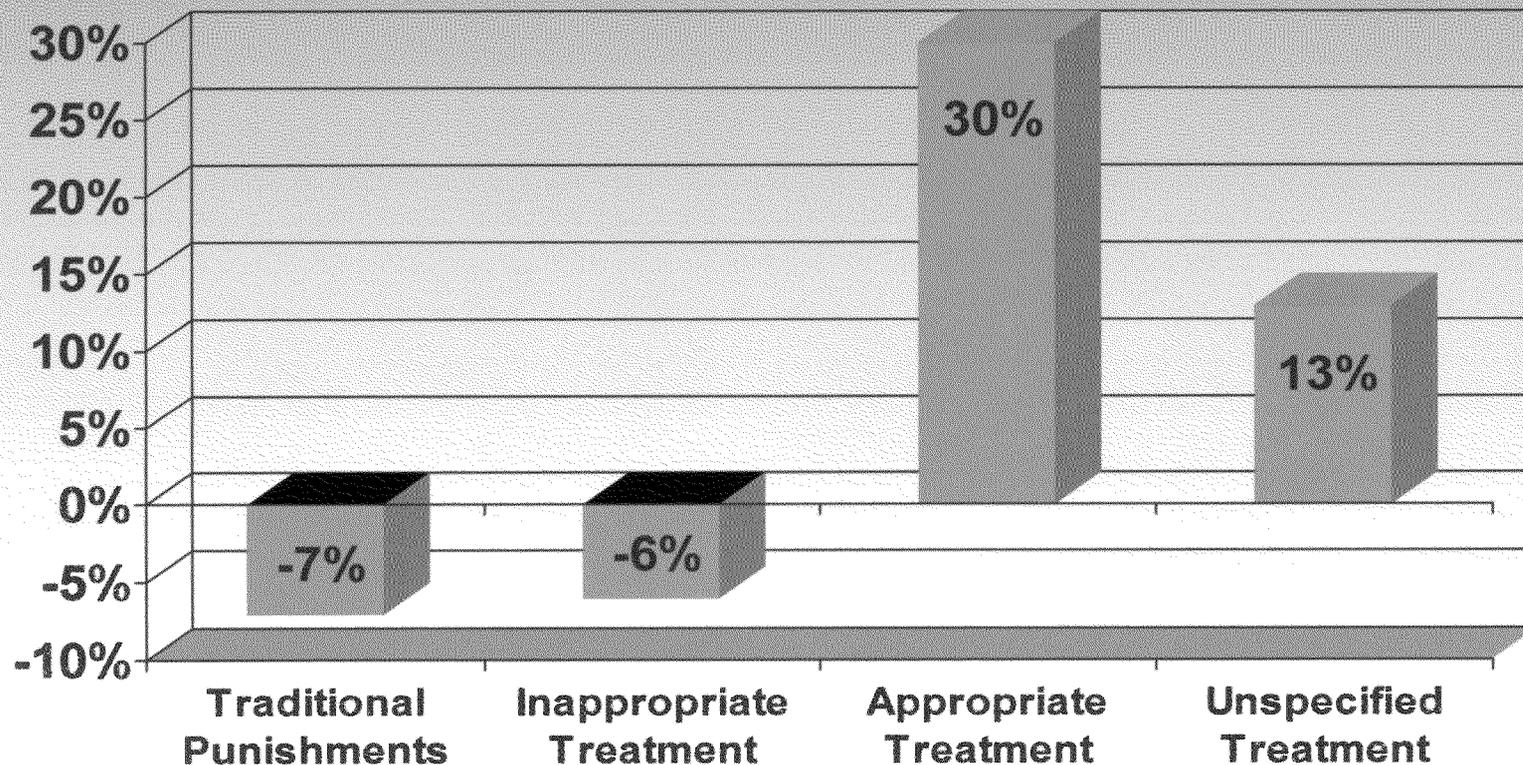


Multnomah County Department of Community Justice

# What Works in Probation and Parole

## Does "What Works" Work?

Reduction in Recidivism in 154 Controlled Studies



Source: An overview of Treatment Effectiveness, D.A. Andrews, 1994



Multnomah County Department of Community Justice

# What Works in Probation and Parole

## What Works Goals

- Increase Public Safety & Hold Offenders Accountable
  - Risk Control: Assure that highest risk offenders receive increased supervision & intervention
  - Risk Reduction: Change behavior to reduce future criminal behavior

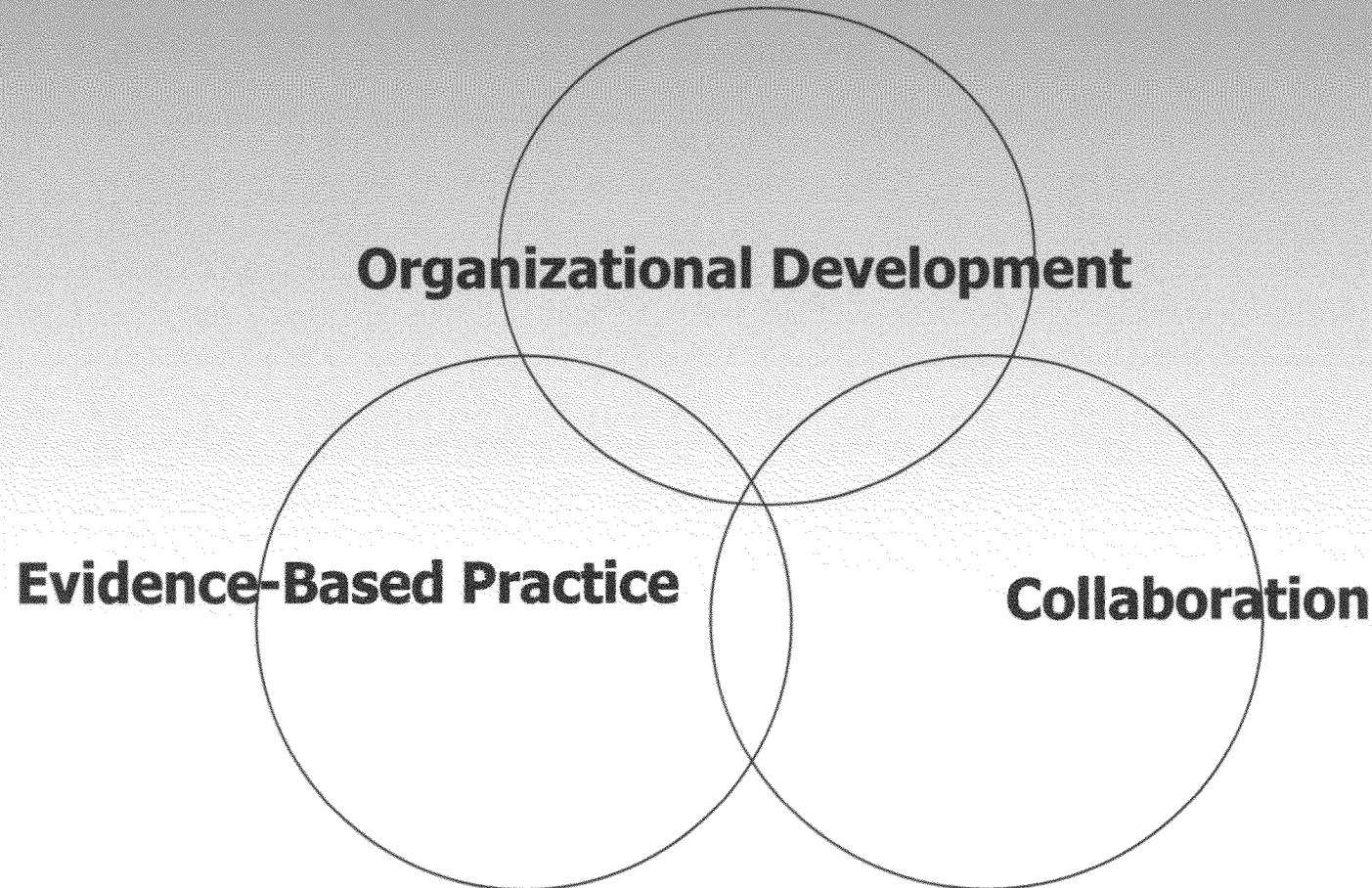




Multnomah County Department of Community Justice

# What Works in Probation and Parole

## What Works Principles





Multnomah County Department of Community Justice

# What Works in Probation and Parole

## Evidence-Based Practice

- **Assess Risk & Needs**
- **Case Management Planning**
- **Address Criminogenic Factors**
- **Proactive Supervision**
- **Use Balanced Approach**
- **Behavioral Approaches**
- **Sanctions to Address Violations**



Multnomah County Department of Community Justice

# What Works in Probation and Parole

## Organizational Development

- **Clear Mission & Goals**
- **Training in best practices**
- **Leadership development**
- **Organizational decision-making involves multiple stakeholders**
- **Data driven decision-making**



Multnomah County Department of Community Justice

# What Works in Probation and Parole

## Collaboration

- **Broad policy leadership guiding system change**
- **Close collaboration with law enforcement, prosecution and state**
- **Service provider participation**
- **Connection to communities**
- **Participation of victims**



Multnomah County Department of Community Justice

## What Works in Probation and Parole

### Adult Services Redesign Phase I (1997-1999): Focus on Risk

- Focus on High/Medium risk
- Specialized caseloads (Gang, Sex Offender, DV, AAP, Female)
- Reduced caseloads under active supervision



Multnomah County Department of Community Justice

## What Works in Probation and Parole

### Adult Services Redesign Phase I (1997-1999): Focus on Risk

- Open Day Reporting Center
- Increase funding for drug and alcohol treatment
- Over 2,000 low-risk offenders sent to reduced supervision at "*no risk to public safety* (NIC study)."



Multnomah County Department of Community Justice

## What Works in Probation and Parole

### Adult Services Redesign Phase II : Focus on Needs (1999-2001)

- Enhanced Responsivity: formalized needs assessment, interventions specific to offender
- Focus on Re-entry: Centralized Intake, Transitional Services Unit (TSU)
- Address risks and needs: SST, Interchange
- Organizational Changes: Articulated mission/values and standardized practices



Multnomah County Department of Community Justice

## What Works in Probation and Parole

### Adult Services Redesign Phase III (2002-2004):

#### Integrate Evidence-Based Practices

- Institute proactive offender supervision model:
  - ✓ formalize policies for case plans, sanctioning offenders and case audits
- Adherence to best practice in:
  - ✓ Audits, performance appraisals, outcome measures
  - ✓ supervisory expectations



Multnomah County Department of Community Justice

## What Works in Probation and Parole

### Adult Services Redesign Phase III (2002-2004):

#### Integrate Evidence-Based Practices

- Intensive training on needs assessment, restorative justice and victims support, & motivational interviewing
- Training for support and administrative staff to promote a climate for offender behavior change
- Administrative support

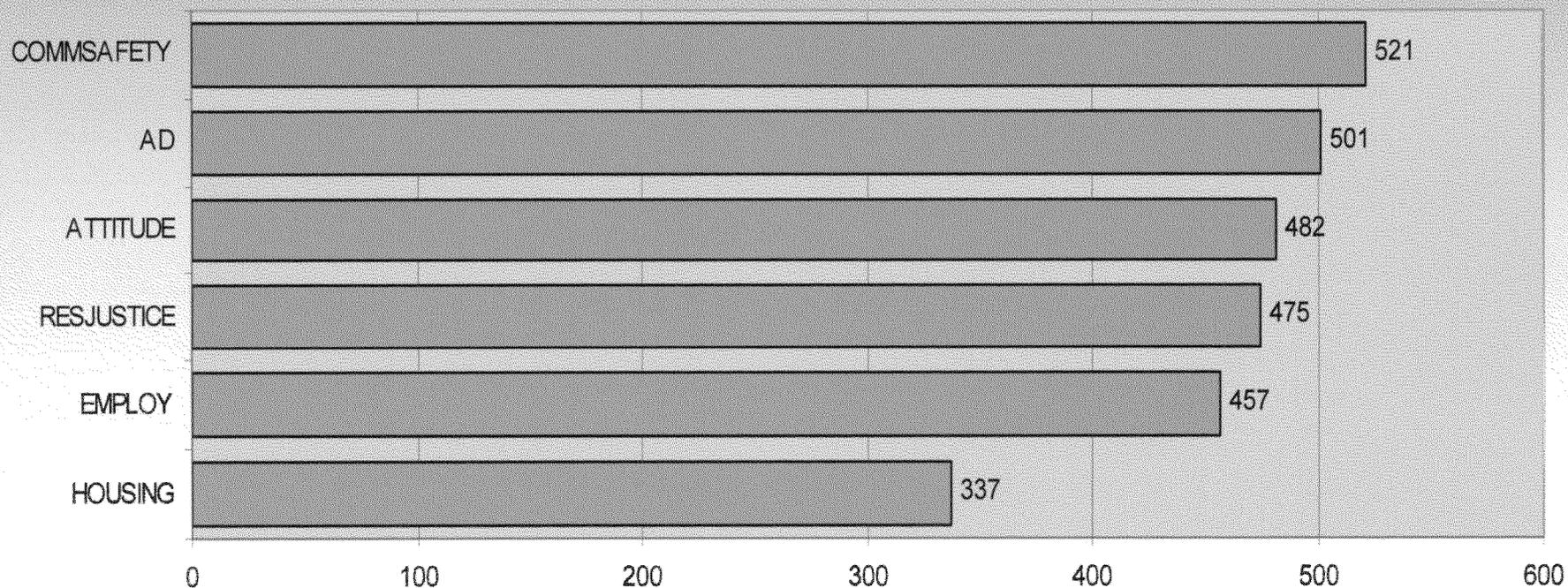


Multnomah County Department of Community Justice

# What Works in Probation and Parole

## Results: Case Plans Completed

**NEEDS CATEGORIES\*\* REFLECTED IN CASE PLAN OBJECTIVES AS OF JUNE 2004**



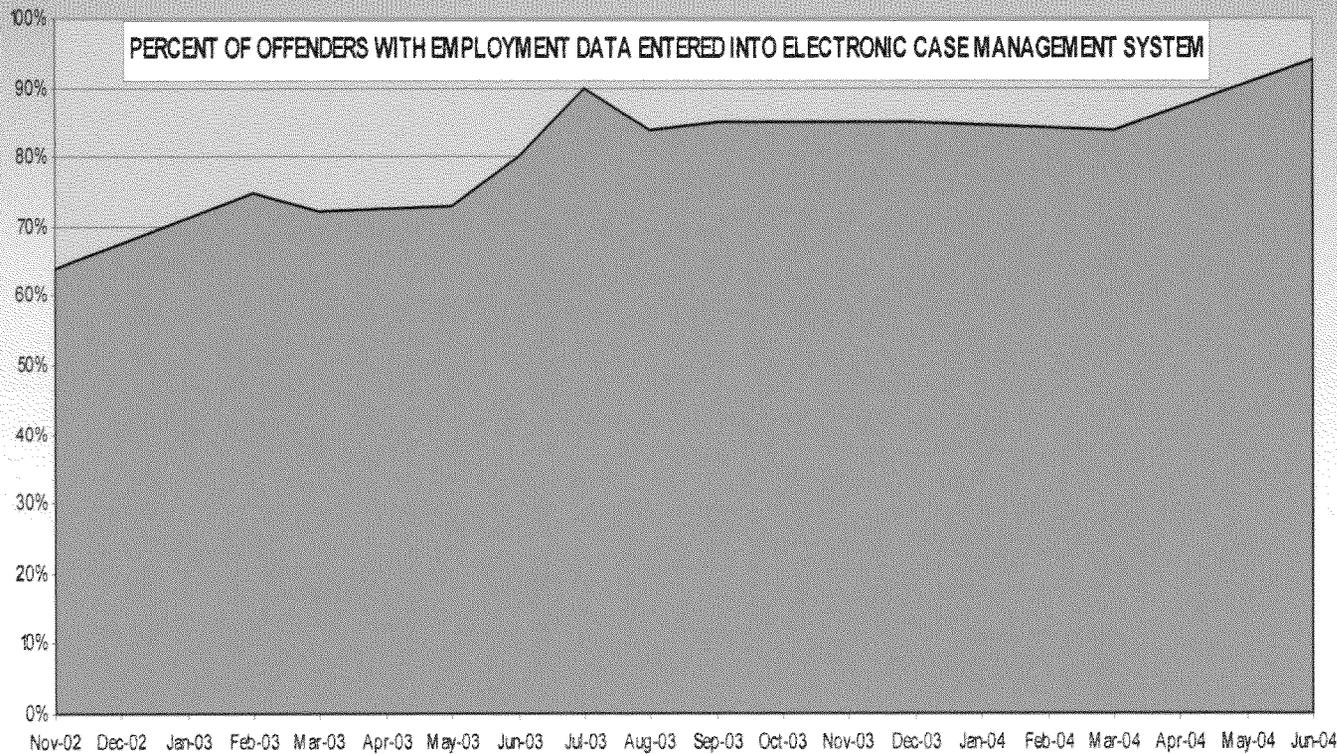
**\*\* categories are duplicated counts cross 726 case plans and represent in decreasing frequency the needs addressed in these case plans.**



Multnomah County Department of Community Justice

# What Works in Probation and Parole

## Results: More Consistent Employment Tracking



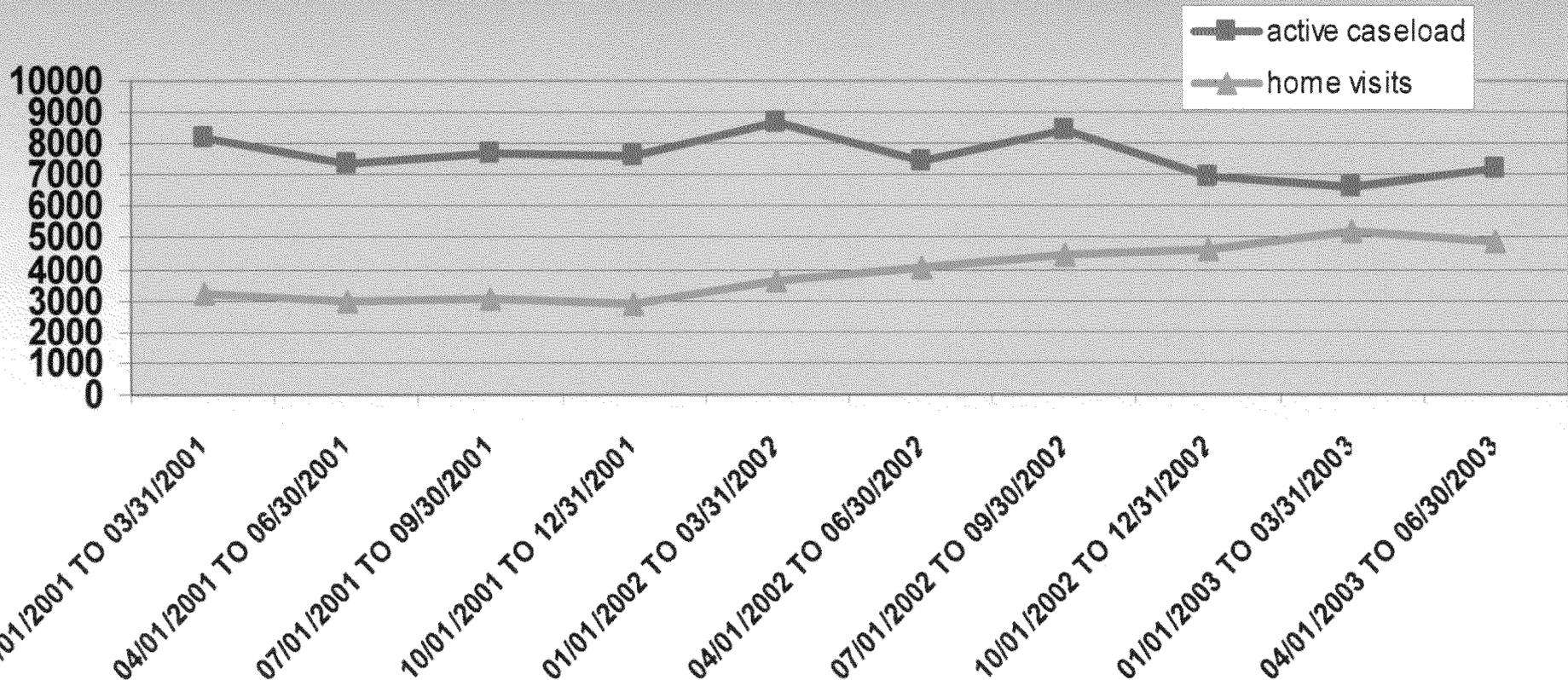


Multnomah County Department of Community Justice

# What Works in Probation and Parole

## Results: More Successful Community Contacts

### QUARTERLY PPO COMMUNITY CONTACTS AS COMPARED TO OVERALL ACTIVE CASELOAD





Multnomah County Department of Community Justice

## What Works in Probation and Parole

### What's Next?

- Assess violence risk more accurately
- Ensure system integration through quality assurance
- Evaluate staff workload
- Enhance cultural competence of staff and organization
- Enhance support for victims
- *Hold system together*