



Multnomah County Oregon

Board of Commissioners & Agenda

connecting citizens with information and services

BOARD OF COMMISSIONERS

Ted Wheeler, Chair

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214

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Email: mult.chair@co.multnomah.or.us

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SEPTEMBER 6, 2007 BOARD MEETINGS FASTLOOK AGENDA ITEMS OF INTEREST

Pg 2	9:00 a.m. Executive Session
Pg 3	9:30 a.m. Public Comment Opportunity
Pg 3	9:30 a.m. Proclaiming October 2007 Oregon Archives Month in Multnomah County
Pg 4	9:45 a.m. Renewal of Metropolitan Interlibrary Exchange Agreement with Washington County Cooperative Library Services, Library Information Network of Clackamas County, the Fort Vancouver Regional Library District, Hood River County, and the City of Camas
Pg 4	10:00 a.m. First Reading and Possible Adoption of a Proposed Ordinance Amending Multnomah County Code Chapter 21.406, Ambulance Staffing
Pg 4	10:10 a.m. Health Department Briefing on Emerging Issues in Tobacco Control

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

Thursday, 9:30 AM, (LIVE) Channel 30
Saturday, 10:00 AM, Channel 29
Sunday, 11:00 AM, Channel 30
Tuesday, 8:00 PM, Channel 29

Produced through MetroEast Community Media
(503) 667-8848, ext. 332 for further info
or: <http://www.metroeast.org>

Tuesday, September 4, 2007 - 7:30 AM to 9:00 AM
Multnomah Building, Third Floor Conference Room 315
501 SE Hawthorne Boulevard, Portland

LOCAL PUBLIC SAFETY COORDINATING COUNCIL EXECUTIVE COMMITTEE MEETING

A quorum of the Multnomah County Board of Commissioners *may* be attending the Local Public Safety Coordinating Council Executive Committee meeting. This meeting is open to the public. For agenda topics and/or further information, contact Judith Shiprack at (503) 988-5894 or Carol Wessinger at (503) 988-5217.

Thursday, September 6, 2007 - 9:00 AM
Multnomah Building, Sixth Floor Commissioners Conference Room 635
501 SE Hawthorne Boulevard, Portland

EXECUTIVE SESSION

- E-1 The Multnomah County Board of Commissioners will meet in Executive Session Pursuant to ORS 192.660(2)(d),(e) and/or (h). Only Representatives of the News Media and Designated Staff are allowed to attend. News Media and All Other Attendees are Specifically Directed Not to Disclose Information that is the Subject of the Session. No Final Decision will be made in the Session. Presented by County Attorney Agnes Sowle. 15-30 MINUTES REQUESTED.
-

Thursday, September 6, 2007 - 9:30 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

REGULAR MEETING

CONSENT CALENDAR - 9:30 AM **NON-DEPARTMENTAL**

- C-1 Appointment of Victoria Libov to the HOUSING AND COMMUNITY DEVELOPMENT COMMISSION

DEPARTMENT OF COMMUNITY JUSTICE

- C-2 Budget Modification DCJ-03 Reclassifying a Mental Health Consultant to a Juvenile Counselor in the Juvenile Services Division as Determined by the Class/Comp Unit of Central Human Resources
- C-3 Budget Modification DCJ-04 Reclassifying a Program Development Specialist to a Human Resources Technician in the Employee, Community and Clinical Services Division as Determined by the Class/Comp Unit of Central Human Resources

DEPARTMENT OF COUNTY MANAGEMENT

- C-4 Budget Modification DCM-03 Reclassifying an Information Technology Position as Determined by the Class/Comp Unit of Central Human Resources

REGULAR AGENDA

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.

DEPARTMENT OF COUNTY MANAGEMENT – 9:30 AM

- R-1 PROCLAMATION Proclaiming October 2007 Oregon Archives Month in Multnomah County, Oregon

NON-DEPARTMENTAL - 9:35 AM

- R-2 Budget Modification NOND-01 Appropriating \$16,999 from County General Fund Contingency to Fund a Salary Adjustment for the Multnomah County Auditor

DEPARTMENT OF COMMUNITY SERVICES – 9:40 AM

- R-3 ORDER Abandoning the Proposed Legalization of SW Hewett Boulevard as Described in the August 14, 2007 County Engineer's Report; and Directing the County's Land Use and Transportation Program to Prepare a Revised Legalization Proposal and Report Back to this Board

- R-4 NOTICE OF INTENT to Submit Three Proposals to the State Help America Vote Act Disability Subcommittee for Health and Human Services Grant Funds

DEPARTMENT OF LIBRARY SERVICES – 9:45 AM

- R-5 Renewal of Metropolitan Interlibrary Exchange (MIX) Intergovernmental Agreement 0708065 with Washington County Cooperative Library Services, Library Information Network of Clackamas County, the Fort Vancouver Regional Library District, Hood River County, and the City of Camas
- R-6 Budget Modification LIB-02 Appropriating \$1,148,295 of Revenues from the Library Foundation to the Library Fund for Program and Collection Enhancements

DEPARTMENT OF HEALTH – 9:55 AM

- R-7 Budget Modification HD-04 Appropriating \$25,853 from CareOregon's Care Support and System Innovation Program for Outreach Nursing Services for Homeless Persons
- R-8 First Reading and Possible Adoption of a Proposed ORDINANCE Amending Multnomah County Code Chapter 21.406, Ambulance Staffing
- R-9 Health Department Briefing on Emerging Issues in Tobacco Control. Presented by Kylie Meiner, Sonia Manhas and Gary Oxman. **30 MINUTES REQUESTED.**

BOARD COMMENT

Opportunity (as time allows) for Commissioners to provide informational comments to Board and public on non-agenda items of interest or to discuss legislative issues.



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
501 S.E. HAWTHORNE BLVD., Room 600
PORTLAND, OREGON 97204
(503) 988-5217

LISA NAITO • DISTRICT 3 COMMISSIONER

MEMORANDUM

TO: Chair Ted Wheeler
Commissioner Maria Rojo de Steffey
Commissioner Jeff Cogen
Commissioner Lonnie Roberts
Board Clerk Deb Bogstad

FROM: Carol Wessinger
Staff to Commissioner Lisa Naito

DATE: September 4, 2007

RE: Commissioner Naito to participate by phone for the Executive Session and Board Meeting on Thursday, September 6, 2007

Commissioner Naito is in Washington DC for meetings regarding NACo's Justice and Public Safety Committee which she has been appointed Chair. Commissioner Naito plans to participate in the Board meeting by phone.

Thank you,
Carol Wessinger

Executive Committee Agenda



Tuesday, September 4, 2007

7:15am Coffee

7:30am to 9:00am

Multnomah Building

501 SE Hawthorne Blvd – Room 315

Introductions-Announcements/Updates

15 Minutes

Public Safety Plan

Chair Ted Wheeler

DSSJ Board Briefing

Commissioner Lisa Naito

LPSCC Membership

Commissioner Naito

CJIS

Michael Schrunk DA

Scheduling Announcements

Judy Shiprack

"WHAT WORKS" Conference – December 4, 2007

January 1, 2008 cancelled

Approve Minutes June 5, 2007 meeting

Emergency Management & the Intersection with Public Safety

Ken Murphy-Director, State of Oregon Office of Emergency Management	10 minutes
Carmen Merlo-Director, Portland Emergency Management	10 minutes
George Whitney-Director, Multnomah County Emergency Management	10 minutes
US Attorney Karin Immergut	10 minutes
Jeremy Greenberg, Dept. of Homeland Security	10 minutes
Todd Felix-analyst- Gresham Emergency Management	5 minutes
Dr. Gary Oxman, Multnomah County Health Department	5 minutes
Sheriff Bernie Giusto & Lt. Dave Rader, Sheriff Department	10 minutes

NEXT MEETING

Tuesday, October 2, 2007

7:30am to 9:00am

Multnomah Building

Room 315

**Serving
Public
Safety
Agencies in
Multnomah
County**



LPSCC
EXECUTIVE COMMITTEE MEETING
DATES FOR THE
2007-8 CALENDAR YEAR

**All meetings are held in the
Multnomah Building
501 SE Hawthorne Blvd - Room 315
7:15am coffee
7:30am to 9:00am meeting**

Meeting are scheduled for the first Tuesday of each month

Tuesday August 7, 2007 - cancelled

Tuesday, September 4, 2007

Tuesday, October 2, 2007

Tuesday, November 6, 2007

****RE-ENTRY CONFERENCE Tuesday December 4, 2007****

****NO MEETING IN JANUARY ****

Tuesday, February 5, 2008

Tuesday, March 4, 2008

Tuesday, April 1, 2008

Tuesday, May 6, 2008

Tuesday, June 3, 2008

**unless otherwise noted*

**Serving
Public
Safety
Agencies in
Multnomah
County**



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 09/06/07
Agenda Item #: E-1
Est. Start Time: 9:00 AM
Date Submitted: 08/29/07

Agenda Title: Executive Session Pursuant to ORS 192.660(2)(d),(e)and/or(h)

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

Requested Meeting Date: September 6, 2007 Amount of Time Needed: 15-30 minutes
Department: Non-Departmental Division: County Attorney
Contact(s): Agnes Sowle
Phone: 503 988-3138 Ext. 83138 I/O Address: 503/500
Presenter(s): Agnes Sowle and Invited Others

General Information

1. What action are you requesting from the Board?

No final decision will be made in the Executive Session.

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

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.

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

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

ORS 192.660(2)(d),(e)and/or(h)

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

Required Signature

Elected Official or
Department/
Agency Director:

Date: 08/29/07



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 09/06/07
Agenda Item #: C-1
Est. Start Time: 9:30 AM
Date Submitted: 08/29/07

Agenda Title: Appointment of Victoria Libov to the HOUSING AND COMMUNITY DEVELOPMENT COMMISSION

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

Requested Meeting Date: September 6, 2007 Amount of Time Needed: Consent Agenda
Department: Non-Departmental Division: Chair's Office
Contact(s): Ted Wheeler, Tara Bowen-Biggs
Phone: (503)988-3308 Ext. 83953 I/O Address: 503/600
Presenter(s): N/A

General Information

1. What action are you requesting from the Board?

Request board approval of appointment of Victoria Libov to the Housing and Community Development Commission.

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

The Housing and Community Development Commission (HCDC) is designated as the primary public forum for policy development, resource coordination and civic leadership to address the County's affordable housing problems. HCDC also provides coordination among the diverse public agencies that implement housing programs and serves as a centralized liaison between those agencies and the jurisdictions on issues regarding housing policy, goals, programs and related allocation of public funds. There are 15 members on the HCDC: 9 are appointed by the City of Portland; 3 are appointed by the City of Gresham; 3 are appointed by the Multnomah County Chair with approval of the board of county Commissioners. Membership represents a balanced citizen-based perspective embracing a high level of knowledge of and expertise in housing development, finance, management, social services, community affairs and consumer interests. Appointments are for 3-year terms.

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

No fiscal impact

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

No legal and/or policy issues involved.

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

N/A

Required Signature

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



Date: 08/29/07



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-2 DATE 09-06-07
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 09/06/07
Agenda Item #: C-2
Est. Start Time: 9:30 AM
Date Submitted: 08/17/07

BUDGET MODIFICATION: DCJ - 03

Budget Modification DCJ-03 Reclassifying a Mental Health Consultant to a
Agenda Juvenile Counselor in the Juvenile Services Division as Determined by the
Title: Class/Comp Unit of Central Human Resources

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

Requested Meeting	<u>September 6, 2007</u>	Amount of Time Needed:	<u>N/A</u>
Department:	<u>Dept. of Community Justice</u>	Division:	<u>Juvenile Services Division</u>
Contact(s):	<u>Shaun Coldwell</u>		
Phone:	<u>503-988-3961</u>	Ext. <u>83961</u>	I/O Address: <u>503 / 250</u>
Presenter(s):	<u>Consent Calendar</u>		

General Information

1. What action are you requesting from the Board?

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

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

Reclassification of a vacant 1.00 FTE Mental Health Consultant position to a Juvenile Counselor was approved for recommendation to the Board of County Commissioners by the Class/Comp Unit of Central Human Resources on August 7, 2007, to be retro-active to August 1, 2007.

This is a new position in the FY-2008 Adopted Budget. The major function of this position is to work specifically with ten youth and their families involved in multiple youth-serving systems who have significant unmet mental health, addiction, and/or educational needs. After reviewing the duties and responsibilities of the position the Class/Comp Unit determined that the Juvenile

Counselor classification was most appropriate.

This position is located in the Juvenile Services Division, Detention Alternatives Program, program offer # 50023B.

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

There is no fiscal impact for current year FY-2008 as the pay scale for these positions overlaps.

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

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

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

N/A

ATTACHMENT A

Budget Modification

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

- What revenue is being changed and why?

N/A

- What budgets are increased/decreased?

N/A

- What do the changes accomplish?

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

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

Yes, reclassification of a vacant 1.00 FTE Mental Health Consultant position to a Juvenile Counselor.

- How will the county indirect, central finance and human resources and departmental overhead costs be covered?

The grant allows for indirect costs which have already been budgeted for.

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

The revenue is from the State of Oregon, Oregon Youth Authority (OYA) and is for Gang Transition Services (GTS) that is renewable every biennium.

- If a grant, what period does the grant cover?

July 1, 2007 through June 30, 2009

- If a grant, when the grant expires, what are funding plans?

The program will be eliminated at the end of the grant period if not renewed.

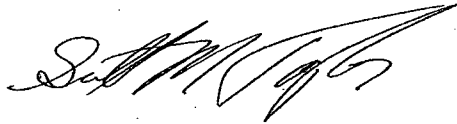
<p><i>NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.</i></p>

ATTACHMENT B

BUDGET MODIFICATION: DCJ - 03

Required Signatures

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



Date: 08/17/07

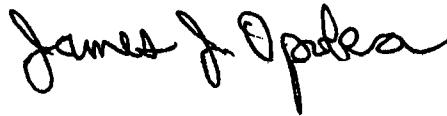
Signed by Shaun Coldwell for Scott M. Taylor

Budget Analyst:



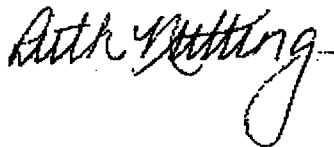
Date: 08/16/07

Department HR:



Date: 08/16/07

Countywide HR:



Date: 08/17/07

Budget Modification ID: **DCJ-03****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 2008

Line No.	Fund Center	Fund Code	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
				Internal Order	Cost Center	WBS Element						
1									0			
2									0			
3												No fiscal impact, therefore no changes to FY-2008 Budget. Description: Re-class a 6365-Mental Health Consultant position to a 6272-Juvenile Counselor retro-active to 8/1/07. Position is located in JSD Detention Alternatives Program.
4												
5												
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25									0			
26									0			
27									0			
28									0			
29									0			
										0	0	Total - Page 1
										0	0	GRAND TOTAL

ANNUALIZED PERSONNEL CHANGEChange on a full year basis even though this action affects only a part of the fiscal year (FY).

						ANNUALIZED			
Fund	Job #	HR Org	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
50-50	6365	65150	Mental Health Consultant	713101	(1.00)	(55,854)	(17,924)	(13,636)	(87,414)
50-50	6272	65150	Juvenile Counselor	713101	1.00	55,854	17,924	13,636	87,414
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TOTAL ANNUALIZED CHANGES					0.00	0	0	0	0

CURRENT YEAR PERSONNEL DOLLAR CHANGECalculate costs/savings that will take place in this FY; these should explain the actual dollar amounts being changed by this Bud Mod.

						CURRENT YEAR			
Fund	Job #	HR Org	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
50-50	6365	65150	Mental Health Consultant	713101	(0.92)	(51,386)	(16,490)	(12,545)	(80,421)
50-50	6272	65150	Juvenile Counselor	713101	0.92	51,386	16,490	12,545	80,421
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									0
TOTAL CURRENT FY CHANGES					0.00	0	0	0	0

Re-class effective 8/1/2007



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-3 DATE 09/06/07
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 09/06/07
Agenda Item #: C-3
Est. Start Time: 9:30 AM
Date Submitted: 08/17/07

BUDGET MODIFICATION: DCJ - 04

Budget Modification DCJ-04 Reclassifying a Program Development Specialist to a Human Resources Technician in the Employee, Community and Clinical Services Division as Determined by the Class/Comp Unit of Central Human Resources
Agenda Title:

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

Requested Meeting	<u>September 6, 2007</u>	Amount of Time Needed:	<u>N/A</u>
Department:	<u>Dept. of Community Justice</u>	Division:	<u>Employee, Community & Clinical Services Division</u>
Contact(s):	<u>Shaun Coldwell</u>		
Phone:	<u>503-988-3961</u>	Ext.	<u>83961</u>
	I/O Address:		<u>503 / 250</u>
Presenter(s):	<u>Consent Calendar</u>		

General Information

1. What action are you requesting from the Board?

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

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

Reclassification of a vacant 1.00 FTE Program Development Specialist position to a Human Resources Technician was approved for recommendation to the Board of County Commissioners by the Class/Comp Unit of Central Human Resources on August 6, 2007, to be retro-active to July 1, 2007.

This position is responsible for the following; serving as the lead HR maintainer and position maintainer, preparing personnel actions, processing personnel data changes in SAP, updating

employee records, generating computer reports, assisting with recruitment and examination plans, coordinating FMLA and other leave administration for the department, developing and providing instruction and training classes for managers/timekeepers/staff on SAP, performing various HR administrative support work, and coordination of background checks for new hires and rehires for DCJ. The position also assists in responding to union grievances/preparation of documents for labor management committees and contract negotiations. After reviewing the duties and responsibilities of this position the Class/Comp Unit determined that the Human Resources Technician classification was most appropriate.

This position is located in the Employee, Community & Clinical Services Division (ECCS), Human Resources Unit, program offer # 50004A.

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

For current year FY-2008 this reclassification decreases ECCS's personnel expense budget by \$22,794. The decreased personnel expense budget is offset by an increase of \$22,794 in the Divisions supplies budget, respectively.

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

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

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

N/A

ATTACHMENT A

Budget Modification

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

- What revenue is being changed and why?

N/A

- What budgets are increased/decreased?

ECCS's personnel budget is decreased by \$22,794 and the supplies budget is increased by \$22,794.

- What do the changes accomplish?

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

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

Yes, reclassification of a vacant 1.00 FTE Program Development Specialist position to a Human Resources Technician.

- How will the county indirect, central finance and human resources and departmental overhead costs be covered?

N/A

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

N/A

- If a grant, what period does the grant cover?

N/A

- If a grant, when the grant expires, what are funding plans?

N/A

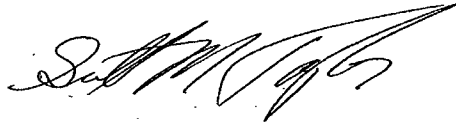
<p><i>NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.</i></p>

ATTACHMENT B

BUDGET MODIFICATION: DCJ - 04

Required Signatures

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



Date: 08/17/07

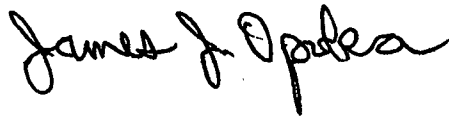
Signed by Shaun Coldwell for Scott M. Taylor

Budget Analyst:



Date: 08/16/07

Department HR:



Date: 08/14/07

Countywide HR:



Date: 08/17/07

Budget Modification ID: **DCJ-04****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 2008

Line No.	Fund Center	Fund Code	Func. Area	Internal Order	Accounting Unit		Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
					Cost Center	WBS Element						
1	50-05	1000	50		509020		60000	514,566	498,079	(16,487)		Permanent
2	50-05	1000	50		509020		60130	166,730	161,439	(5,291)		Fringe
3	50-05	1000	50		509020		60140	113,726	112,710	(1,016)		Insurance
4	50-05	1000	50		509020		60240	10,680	33,474	22,794		Supplies
5									0		0	Reclass a position in ECCS HR from a PDS to a HR Tech retro-active to 7/1/07.
6									0			
7									0			
8									0			
9									0			
10									0			
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28									0			
29									0			
										0	0	Total - Page 1
										0	0	GRAND TOTAL

ANNUALIZED PERSONNEL CHANGEChange on a full year basis even though this action affects only a part of the fiscal year (FY).

						ANNUALIZED			
Fund	Job #	HR Org	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
50-05	6021	61240	Program Development Spec	703869	(1.00)	(57,270)	(18,378)	(13,672)	(89,321)
50-05	9061	61240	HR Technician [Exempt]	703869	1.00	40,783	13,087	12,656	66,526
									0
									0
									0
									0
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									0
									0
									0
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									0
									0
									0
									0
									0
									0
TOTAL ANNUALIZED CHANGES					0.00	(16,487)	(5,291)	(1,016)	(22,795)

CURRENT YEAR PERSONNEL DOLLAR CHANGECalculate costs/savings that will take place in this FY; these should explain the actual dollar amounts being changed by this Bud Mod.

						CURRENT YEAR			
Fund	Job #	HR Org	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
									0
									0
			Same as above because re-classification is effective 7/1/2007.						0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
TOTAL CURRENT FY CHANGES					0.00	0	0	0	0



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-4 DATE 09/06/07
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 09/06/07
Agenda Item #: C-4
Est. Start Time: 9:30 AM
Date Submitted: 08/22/07

BUDGET MODIFICATION: DCM - 03

Agenda Title: Budget Modification DCM-03 Reclassifying an Information Technology Position as Determined by the Class/Comp Unit of Central Human Resources

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

Requested Meeting	<u>September 6, 2007</u>	Amount of Time Needed:	<u>Consent</u>
Department:	<u>County Management</u>	Division:	<u>Director's Office</u>
Contact(s):	<u>Bob Thomas</u>		
Phone:	<u>(503) 988-4283</u>	Ext.	<u>84283</u>
	I/O Address:		<u>503 / 531</u>
Presenter(s):	<u>NA</u>		

General Information

1. What action are you requesting from the Board?

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

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

The Department of County Management is requesting Board approval of a reclassification request for the following position that was approved by the Central Class Comp Unit:

Information Technology

Position Title (Old)	Position Title (New)	Position Number	FTE
Desktop Support Specialist	Development Analyst	704096	No FTE Change

Information Technology requested the Central Class Comp Unit to examine the duties of a position serving as an "Asset and Configuration Analyst" in the division's Infrastructure group. After review

of duties, Class Comp has reclassified this position to the Development Analyst level. This position is budgeted for FY 2008 in offer 72081 Information Technology-Helpdesk Services. No immediate changes in performance measures on the current program offer are anticipated by this change.

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

Budget modification detail is attached. The reclassification request is being accomplished within current resources for FY 2008. Salary and fringe costs will increase by \$6,627 during this fiscal year. Materials and Services are being reduced by this same amount to cover the increase. Expected future cost of living and merit increases are likely for this position in future years.

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

The reclassifications for which approval is sought in this request, have been reviewed by the Classification/Compensation Unit and the positions have been found to be wrongly classed. By contract and under our personnel rules, we are required to compensate employees appropriately based on these findings.

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

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

NA

ATTACHMENT A

Budget Modification

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

- **What revenue is being changed and why?**

Risk Management Fund revenue is increased by \$311 from service reimbursements related to this reclassified position.

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

The Risk Management Fund budget is increased by \$311.

- **What do the changes accomplish?**

The change implements a personnel action approved by the Central Class Comp Unit.

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

Yes, the reclassification of one position is authorized by this budget modification.

- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**

None of these apply to this action.

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

NA

- **If a grant, what period does the grant cover?**

NA

- **If a grant, when the grant expires, what are funding plans?**

NA

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

ATTACHMENT B

BUDGET MODIFICATION: DCM - 03

Required Signatures

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

Carol M. Ford

Date: 8/21/07

Budget Analyst:

Christy

Date: 8/20/07

Department HR:

Carl R. Quigg

Date: 8/22/07

Countywide HR:

Tammi Graves

Date: 8/22/07

Budget Modification ID: **DCM-03****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 2008

Line No.	Fund Center	Fund Code	Func. Area	Accounting Unit		Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
				Internal Order	Cost Center						
1	72-60	3505	20		709535	60000		4,782	4,782		Increase Permanent
2	72-60	3505	20		709535	60130		1,534	1,534		Increase Salary Related
3	72-60	3505	20		709535	60140		311	311		Increase Insurance Benef
4	72-60	3505	20		709535	60240		(6,627)	(6,627)		Decrease Supplies
5	72-10	3500	0020		705210	50316		(311)	(311)		Increase Service Reimb
6	72-10	3500	0020		705210	60330		311	311		Increase Offsetting Expend
7								0			
8								0			
9								0			
10								0			
11								0			
12								0			
13								0			
14								0			
15								0			
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25								0			
26								0			
27								0			
28								0			
29								0			
									0	0	Total - Page 1
									0	0	GRAND TOTAL

ANNUALIZED PERSONNEL CHANGEChange on a full year basis even though this action affects only a part of the fiscal year (FY).

						ANNUALIZED			
Fund	Job #	HR Org	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
3503	6403	62736	Desktop Support Specialist	704096	(1.00)	(48,155)	(15,453)	(13,135)	(76,743)
3503	6405	62736	Development Analyst	704096	1.00	53,893	17,294	13,508	84,695
									0
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TOTAL ANNUALIZED CHANGES					0.00	5,738	1,841	373	7,952

CURRENT YEAR PERSONNEL DOLLAR CHANGECalculate costs/savings that will take place in this FY; these should explain the actual dollar amounts being changed by this Bud Mod.

						CURRENT YEAR			
Fund	Job #	HR Org	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
3503	6403	62736	Desktop Support Specialist	704096	(0.83)	(40,129)	(12,877)	(10,946)	(63,953)
3503	6405	62736	Development Analyst	704096	0.83	44,911	14,412	11,257	70,579
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									0
									0
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									0
									0
									0
									0
									0
									0
									0
									0
									0
TOTAL CURRENT FY CHANGES					0.00	4,782	1,534	311	6,627



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 09/06/07
Agenda Item #: UC-1
Est. Start Time: 9:30 AM
Date Submitted: 09/05/07

Agenda Title: Intergovernmental Revenue Agreement 0708055 with Benton County for the Housing of a Special Needs Inmate

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

Requested Meeting Date: September 6, 2007 Amount of Time Needed: 15 Minutes
Department: Sheriff Division: Corrections
Contact(s): Captain Linda Yankee
Phone: (503) 988-3051 Ext. 83051 I/O Address: 119/232
Presenter(s): Chief Deputy Bishop, Captain Jay Heidenrich, Wanda Yantis

General Information

1. What action are you requesting from the Board?

Request approval of Intergovernmental Agreement between MCSO and the Benton County Sheriff's Office to provide housing and medical care to a Benton County inmate with special needs beyond the resource capacity of the Benton County Sheriff.

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

On August 23, 2007 the Benton County Sheriff requested assistance in housing a Benton County Inmate who had special housing and medical needs beyond the resource capacity of Benton County. The inmate is in custody for aggravated murder and suffers from a self-inflicted gunshot wound to the head. While in custody, it is necessary for the inmate to have special care for his wounds, make frequent trips the OHSU, as well as remain in close custody supervision. These resources are beyond the existing resource capabilities of the Benton County Sheriff. This IGA will responsibilities and costs to be paid by the Benton County Sheriff's Office for the housing and medical care for the inmate.

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

The Benton County Sheriff has agreed to pay all costs associated with the housing and medical care of the inmate. Costs will be invoiced monthly and will be a full cost recovery agreement. It is estimated that costs will be approximately \$2,000 per day. The inmate will remain in our custody

until he is able to be managed within the resource capabilities of the Benton County Sheriff. Once costs are known, the Sheriff's Office will return to the Board with a request to appropriate the revenues to the Sheriff's Office and Corrections Health budgets.

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

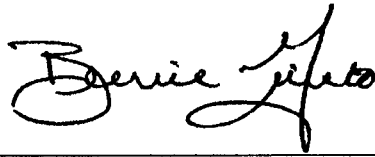
N/A

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

Benton County and the Benton County Sheriff's Office are partners in this intergovernmental agreement.

Required Signature

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



Date: 09/04/07

BOGSTAD Deborah L

From: KIRK Christine A
Sent: Wednesday, September 05, 2007 4:07 PM
To: NAITO Lisa H; WHEELER Ted; ROJO DE STEFFEY Maria; COGEN Jeff; NAITO Lisa H; ROBERTS Lonnie J
Cc: FARVER Bill; BOGSTAD Deborah L; WILLER Barbara; WEST Kristen; MADRIGAL Marissa D; MARTINEZ David; MACK Thomas M; LIEUALLEN Matt; AAB Larry A; BISHOP Ronald J; BURROW Gayle F; MOYER Catherine M; HEIDENRICH Jay A; WEBER Jacquie A; KIRK Christine A
Subject: Agenda Placement Request - Benton County SEPT 6

Commissioners and Staff,

The below items were originally intended for the September 13th Board meeting. Due to the meetings cancellation and the timely nature of the IGA, we are requesting that it be added through the unanimous consent process for tomorrow's Board meeting.

The IGA is between Multnomah County and Benton County to provide care for an inmate. The inmate has medical needs that are beyond the capacity of Benton County to address. The inmate is currently in our custody and will return to Benton County when the medical needs can be met within their corrections system. Benton County agrees to pay all costs associated with the housing and care of the inmate. The costs are estimated to be \$2,000 a day. The Sheriff's Office will return to the Board to have the funds received (based on actual costs) appropriated into MCSO and Corrections Health's budget.

<<Benton County APR_0708055.doc>> <<Benton County CAF_0708055.doc>> <<Benton County IGA 0708055.doc>>

Thank you for considering the addition of this item to the calendar and the approval of the IGA.

Christine

CONFIDENTIALITY NOTICE: This email message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

9/5/2007

MULTNOMAH COUNTY CONTRACT APPROVAL FORM (CAF)

Contract #: 0708055

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

Amendment #: _____

CLASS I Based on Informal / Intermediate Procurement	CLASS II Based on Formal Procurement	CLASS III Intergovernmental Contract (IGA)
<input type="checkbox"/> Personal Services Contract	<input type="checkbox"/> Personal Services Contract	<input type="checkbox"/> Expenditure Contract
PCRB Contract <input type="checkbox"/> Goods or Services <input type="checkbox"/> Maintenance or Licensing Agreement <input type="checkbox"/> Public Works / Construction Contract <input type="checkbox"/> Architectural & Engineering Contract	PCRB Contract <input type="checkbox"/> Goods or Services <input type="checkbox"/> Maintenance or Licensing Agreement <input type="checkbox"/> Public Works / Construction Contract <input type="checkbox"/> Architectural & Engineering Contract	<input checked="" type="checkbox"/> Revenue Contract <input type="checkbox"/> Grant Contract <input type="checkbox"/> Non-Financial Agreement
<input type="checkbox"/> Revenue Contract <input type="checkbox"/> Grant Contract <input type="checkbox"/> Non-Financial Agreement	<input type="checkbox"/> Revenue Contract <input type="checkbox"/> Grant Contract <input type="checkbox"/> Non-Financial Agreement	<input type="checkbox"/> INTER-DEPARTMENTAL AGREEMENT (IDA)

Department: Sheriff's Office

Division/

Program: Corrections

Date: 09/04/07

Originator: Larry Aab

Phone: 503-988-4489

Bldg/Room: 503/350

Contact: Brad Lynch

Phone: 503-988-4336

Bldg/Room: 503/350

Description of Contract: Provide correctional housing and medical services for an inmate with special physical and mental needs.

RENEWAL: ☐ PREVIOUS CONTRACT #(S)

EEO CERTIFICATION EXPIRES

PROCUREMENT
EXEMPTION OR
CITATION #

46-0130(1)(f)

ISSUE
DATE:

EFFECTIVE
DATE:

END
DATE:

CONTRACTOR IS: ☐ MBE ☐ WBE ☐ ESB ☐ QRF State Cert# _____ or ☐ Self Cert ☐ Non-Profit ☐ N/A (Check all boxes that apply)

Contractor	Benton County Oregon			Remittance address (If different)	
Address	180 NW 5 th Street				
City/State	Corvallis, Oregon			Payment Schedule / Terms:	
ZIP Code	97330			<input type="checkbox"/> Lump Sum \$	<input type="checkbox"/> Due on Receipt
Phone	541-766-6767			<input type="checkbox"/> Monthly \$	<input type="checkbox"/> Net 30
Employer ID# or SS#				<input type="checkbox"/> Other \$	<input type="checkbox"/> Other
Contract Effective Date	08/23/07	Term Date	06/30/08	<input checked="" type="checkbox"/> Price Agreement (PA) or Requirements Funding Info: \$143.53 per day base cost.	
Amendment Effect Date		New Term Date			
Original Contract Amount	\$	Original PA/Requirements Amount	\$		
Total Amt of Previous Amendments	\$	Total Amt of Previous Amendments	\$		
Amount of Amendment	\$	Amount of Amendment	\$		
Total Amount of Agreement	\$	Total PA/Requirements Amount	\$		

REQUIRED SIGNATURES:

Department Manager

DATE

County Attorney

DATE

CPCA Manager

DATE

County Chair

DATE

Sheriff

DATE

Contract Administration

DATE

COMMENTS:

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS

**INTER-GOVERNMENTAL AGREEMENT FOR HOUSING OF BENTON COUNTY
INMATES IN THE MULTNOMAH COUNTY DETENTION CENTER**

This inter-governmental agreement is made between Multnomah County, a political subdivision of the State of Oregon, ("Multnomah") and Benton County, a political subdivision of the State of Oregon ("Benton"), each acting through its duly elected Board of Commissioners and Sheriff.

RECITALS:

- A. Multnomah operates a county jail known as the Multnomah County Detention Center which is equipped and staffed with resources to securely house inmates with special physical and mental health needs.
- B. Benton desires to detain in a humane and secure environment certain inmates, but lacks sufficient jail bed and medical facilities to meet its requirements.
- C. This inter-governmental agreement is adopted by Benton and Multnomah under authority of ORS 203.010 and ORS 190.010.

**IN CONSIDERATION OF THE MUTUAL COVENANTS, TERMS AND CONDITIONS
STATED BELOW, BENTON AND MULTNOMAH AGREE AS FOLLOWS:**

I. Multnomah shall perform as follows:

A. Admission:

- 1. Benton will rent space in the Multnomah County Detention Center for the housing and medical care of one (1) inmate. Benton guarantees that it will pay Multnomah to house the Benton inmate a daily rate subject to rates identified and incorporated herein.
- 2. Multnomah, acting through its Detention Center staff, shall have discretion to refuse acceptance of any inmate placed under this agreement where it reasonably believes such placement does not comply with lawful requirements of facility regulations, state statutes, or sentencing authority order, or when it appears that the physical condition of the placed inmate requires immediate medical attention, beyond that customarily provided by the Multnomah County Detention Center.

B. Supervision Services:

- 1. Benton inmates admitted under this agreement shall receive the same quality, level, and manner of care and supervision as Multnomah inmates.
- 2. If Multnomah determines that a need for emergency or special needs services of any kind exists, that determination shall control, and Multnomah is hereby authorized to take appropriate action to secure

such services. Multnomah shall provide Benton with immediate notice of such services and Benton shall reimburse Multnomah County for any expenses connected therewith over and above the base charge established in Section 3 of this agreement. In no event shall Multnomah County bill Benton more than Multnomah County's out-of-pocket expenses in securing emergency services for the inmate.

C. Release Services:

1. Multnomah shall return custody of inmate to Benton as soon as inmate's special needs condition stabilizes to the point that Benton can assume custody of inmate.
2. Multnomah shall release inmate placed under this agreement only upon notification by persons authorized by Benton or pursuant to sentencing authority order, provided however, that Multnomah upon written notice to the Benton County Sheriff may act to require release of any inmate whom it reasonably believes has been detained in excess of any statutory period prescribed for custody.
3. No provision contained in this agreement is intended to relieve Benton from the duty to monitor during the period that an inmate is detained. Benton agrees to defend and hold Multnomah harmless from any claim of detention in excess of lawful limits brought by or on behalf of any inmate placed as provided above.

II. Benton shall perform as follows:

- A. Written Statement.** Benton shall provide a written statement to Multnomah for each inmate detailing basis for custody and the length of sentence applicable. Any applicable sentencing authority order or detainer shall be attached to the written statement as well as a standard transport face sheet and inmate photo.
- B. Authorization to Act.** The respective Sheriffs of Benton and Multnomah Counties shall possess the official authority to act in regards to the execution of this contract. Either Sheriff may delegate this authority to their respective staff.
- C. Transportation.** Benton shall be ultimately responsible for the transportation of any Benton inmate to and from Multnomah. However, if both Benton and Multnomah agree Benton may contract with Multnomah staff to perform such transports as needed.
- D. Emergency Services.** Benton shall pay to Multnomah all expenses incurred by Multnomah to provide emergency medical, dental, or psychological services, including transportation for such services if provided by a third party, on behalf of inmate placed under this agreement. This shall include non-emergent ambulance transports for court arraignment and other court activities, as well as follow up physician, therapists and specialist

appointments. When condition allows, Deputy transportation will be used. In no event shall Multnomah bill Benton for more than Multnomah's out-of-pocket expenses incurred in providing emergency services. Multnomah officials will notify Benton officials of these instances as soon as practicable.

- E. Extraordinary Care.** Upon prior notification by Multnomah, Benton shall reimburse Multnomah for any expenses reasonably incurred in the care and supervision of a placed inmate which would exceed the level of care and supervision customarily furnished to detain inmates. This shall include all equipment rented to care for the inmate such as suction machine and humidifier, as well as special medications, tube feedings, special dressings and other supplies needed by inmate held in Multnomah County Infirmary.
- F. Payment.** Benton shall promptly pay Multnomah any amount due as set forth in Section 3.
- G. Commitment Orders.** Benton shall furnish to Multnomah any applicable documents concerning sentencing authority commitment; social history, visitation restrictions, and specialized programming that would affect detention care and supervision of the placed inmate.
- H. Removal of Inmate.** Benton shall remove any placed inmate that Multnomah determines, in its sole discretion, to be a substantial risk to the security or safety of the facility on 24 hours notice from Multnomah.
- J. Jail Overcrowding.** Benton shall remove inmate within 24 hours notice if Multnomah County determines, in its sole discretion, the special housing area has reached its total capacity and special housing is needed for a Multnomah County special needs inmate.
- K. Medical Reports.** Benton agrees to provide Multnomah with any current medical information available, including results of routine physicals, if any have been performed, on inmates sent to Multnomah County.

III. Cost:

- A. Base Cost.** From the effective date of this agreement through June 30, 2008, the base cost to Benton shall be \$143.53 per day for each day inmate is housed in Multnomah. Multnomah will be responsible for submitting a bill for housing costs by the 10th of each month. The billings will be detailed to include the inmate names and the period of time held in Multnomah custody. Multnomah will mail the bill to Emilia Sanguino, Benton County Sheriff's Office, 180 NW 5th Street, Corvallis, Oregon 97330. Benton will be responsible for payment within 30 days of receipt of the bill.
- B. Other Costs.** In addition to the base cost, Benton shall pay upon demand any sums otherwise required by this agreement, including but not limited to the costs of emergency services, additional specialized medical personnel, and overtime for medical personnel, and special services not otherwise covered in

the base services of the contract. These charges shall include but not be limited to:

Rental Equipment per day	\$166.67	Estimated costs for special medical equipment not maintained in MCSO inventory. Actual costs will be invoiced.
Special Deputy Services per day	\$1,605.60	Special services include suicide watch and hospital guard services on a 1:1 prisoner/deputy ratio. Based on average overtime rate of Corrections Deputy (66.90 per hour). Average hours will be billed as accrued.

- C. Charges for additional services shall be billed monthly on an actual cost basis and paid by Benton within 30 days of the receipt of the bill.
- IV. **Liability.** It is understood by the parties that any and all employees of the facility are employees of Multnomah County and are not employees, agents, or representatives of Benton unless acting as the specific instance of or on the instruction of Benton County. If Multnomah is sued for wrongful detention of inmates placed by Benton under this agreement, Benton is responsible and shall pay for any judgment against Multnomah, including all costs, disbursements, and attorney fees for said wrongful detention. Multnomah shall be responsible for any liability arising from the operation of their facility pursuant to the Oregon Tort Claims Act and shall indemnify Benton for any loss proximately and legally caused by the conduct of Multnomah County's deputies, agents, or employees.
- V. **Supervisory Authority.** Supervisory Authority (ORS 144.087) of Benton inmates housed in Multnomah County under this contract will remain with Benton County. Multnomah will have the authority to classify, house and program Benton inmate as they would with Multnomah inmates. However, Benton may request that a Benton inmate either receive or be denied particular inmate programming. The decision in these special requests will be negotiated between the respective jail commanders on an individual basis.
- VI. **Visitation and Video Conferencing.** In the interest of maintaining community ties, Multnomah shall provide reasonable visitation access to Benton inmates. Both Benton and Multnomah agree to use video conferencing equipment whenever feasible including but not limited to inmate court appearances, probation/parole violation proceedings and structured sanctions, attorney and other professional visitation and social visitation.
- VII. **Amendments.** This agreement may be modified or amended only by written agreement of both parties.
- VIII. **Review of Contract.** Benton and Multnomah agree that they will each review this contract annually.
- IX. **Terms and Conditions.**

- A. This agreement shall be **effective August 23rd, 2007 until June 30, 2008** unless sooner terminated as provided in subsection (b) or (c) below.
- B. Termination. This agreement may be terminated by the mutual consent of Benton and Multnomah at any time. Further, this agreement may be terminated by Benton or Multnomah upon 30 days written notice.
- C. Benton may terminate this agreement immediately upon notice to Multnomah, upon occurrence of either of the following events:
1. Benton fails to receive funding, or appropriations, limitations or other expenditure authority at levels sufficient to pay Multnomah; or
 2. Federal or state laws, regulations or guidelines are modified or interpreted in such a way that either the obligations under this agreement are prohibited or Benton is prohibited from paying for such obligations from the planned funding source.

IN WITNESS WHEREOF, the parties have hereto caused this agreement to be executed by their duly authorized officers as of the dates and year entered hereinafter.

BENTON COUNTY SHERIFF

Diana Simpson, Sheriff

Date

MULTNOMAH COUNTY SHERIFF

Bernie Giusto, Sheriff

Date

**BENTON COUNTY BOARD OF
COMMISSIONERS**

Linda Modrell, Vice Chair Commissioner

Date

MULTNOMAH COUNTY CHAIR

Ted Wheeler, Multnomah County Chair

Date

Jay Dixon, Chair Commissioner

Date



Annabell Jaramillo, Commissioner

Date

APPROVED AS TO FORM:

Vance Croney
Benton County Counsel

Date

APPROVED AS TO FORM:



Jacqueline Weber
Assistant County Attorney

9-6-07

Date



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 09/06/07
Agenda Item #: R-1
Est. Start Time: 9:30 AM
Date Submitted: 08/13/07

Agenda Title: **PROCLAMATION Proclaiming October 2007 Oregon Archives Month in Multnomah County, Oregon**

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

Requested Meeting Date:	<u>September 6, 2007</u>	Amount of Time Needed:	<u>5 minutes</u>
Department:	<u>Department of County Management</u>	Division:	<u>FREDS/Records</u>
Contact(s):	<u>Terry Baxter</u>		
Phone:	<u>503.988.3741</u>	Ext.	<u>83741</u>
	<u>I/O Address: 425/records/Terry</u>		
Presenter(s):	<u>Dwight Wallis</u>		

General Information

1. What action are you requesting from the Board?

We are requesting that the Board proclaim October Oregon Archives Month in Multnomah County. The Department recommendation is that the Board adopts this proclamation.

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

Archives Week/Month has been celebrated since 1989 in a growing number of states. This is the 4th year it will be celebrated in Oregon. It's purpose is to increase the public's awareness of archival and historical records, educate people and organizations about preserving their own records, and encourage people to explore and use the archives in their area. Multnomah County includes significant archival resources whose use should be supported.

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

There is no fiscal impact.

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

There are no legal or policy issues involved.

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

There are a number of Oregon archival institutions involved in the planning and celebration of

Archives Month. The Oregon State Archives, Oregon State University Archives, University of Oregon, Willamette University, City of Portland Archives, Oregon Historical Society, Portland State University, Lewis and Clark University, Marion County Historical Society, Oregon Shakespeare Festival, and Multnomah County Records Program comprise the statewide planning team. Other archival programs across the state are planning information and events. State Archivist Mary Beth Herkert (503.373.0701) is the statewide contact for Oregon Archives Month.

Required Signatures

Elected Official or
Department/Agency
Director:

Carol M. Ford

Date: 08/13/07

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

PROCLAMATION NO. _____

Proclaiming October 2007 Oregon Archives Month in Multnomah County, Oregon

The Multnomah County Board of Commissioners Finds:

- a. The records of Multnomah County, the state of Oregon, the Pacific Northwest, and the nation are crucial to our understanding of the past and in planning for our common future;
- b. Archival institutions have a responsibility to provide the public with access to their records, and it is a goal of these institutions to increase public awareness of the vital role they play in safeguarding knowledge of our intellectual, cultural, social, and governmental heritage;
- c. Archival records document activities of citizens, businesses, governments, and organizations. They provide context to our histories and evidence of our common and individual rights and obligations;
- d. During Oregon Archives Month we celebrate the value of Multnomah County's written record, publicizing the many ways archival records enrich our lives and recognizing those who maintain our communities' archival records; now therefore

The Multnomah County Board of Commissioners Proclaims:

October 2007 as Oregon Archives Month in Multnomah County, Oregon, and encourages all citizens to discover the diverse documentary resources maintained by the varied archival institutions in Multnomah County and to explore their relationship to community and cultural memory.

ADOPTED this 6th day of September, 2007.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, County Chair

Maria Rojo de Steffey,
Commissioner District 1

Jeff Cogen,
Commissioner District 2

Lisa Naito,
Commissioner District 3

Lonnie Roberts,
Commissioner District 4

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

PROCLAMATION NO. 07-146

Proclaiming October 2007 Oregon Archives Month in Multnomah County, Oregon

The Multnomah County Board of Commissioners Finds:

- a. The records of Multnomah County, the state of Oregon, the Pacific Northwest, and the nation are crucial to our understanding of the past and in planning for our common future;
- b. Archival institutions have a responsibility to provide the public with access to their records, and it is a goal of these institutions to increase public awareness of the vital role they play in safeguarding knowledge of our intellectual, cultural, social, and governmental heritage;
- c. Archival records document activities of citizens, businesses, governments, and organizations. They provide context to our histories and evidence of our common and individual rights and obligations;
- d. During Oregon Archives Month we celebrate the value of Multnomah County's written record, publicizing the many ways archival records enrich our lives and recognizing those who maintain our communities' archival records; now therefore

The Multnomah County Board of Commissioners Proclaims:

October 2007 as Oregon Archives Month in Multnomah County, Oregon, and encourages all citizens to discover the diverse documentary resources maintained by the varied archival institutions in Multnomah County and to explore their relationship to community and cultural memory.

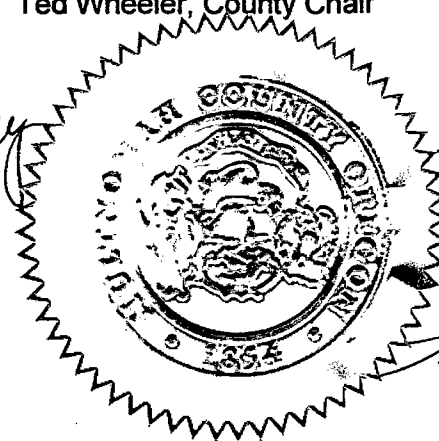
ADOPTED this 6th day of September, 2007.

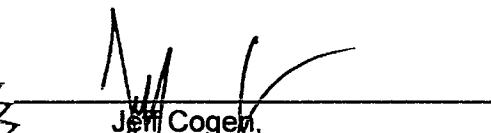
BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON



Ted Wheeler, County Chair


Maria Rojode Steffey,
Commissioner District 1


Lisa Naito,
Commissioner District 3




Jeff Cogen,
Commissioner District 2


Lonnie Roberts,
Commissioner District 4



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-2 DATE 09/06/07
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 09/06/07
Agenda Item #: R-2
Est. Start Time: 9:35 AM
Date Submitted: 08/15/07

BUDGET MODIFICATION: NOND - 01

Agenda Title: **Budget Modification NOND-01 Appropriating \$16,999 from County General Fund Contingency to Fund a Salary Adjustment for the Multnomah County Auditor**

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

Date Requested:	<u>September 6, 2007</u>	Time Requested:	<u>5 minutes</u>
Department:	<u>Non-Departmental</u>	Division:	<u>Auditor's Office</u>
Contact(s):	<u>Travis R. Graves, Human Resource Director and Agnes Sowle, County Attorney</u>		
Phone:	<u>503-988-6134</u>	Ext.	<u>86134</u>
		I/O Address:	<u>503/400</u>
Presenter(s):	<u>Agnes Sowle, County Attorney and Travis R. Graves, Human Resource Director</u>		

General Information

1. What action are you requesting from the Board?

Approval of Budget Modification Nondepartmental-01 appropriating \$16,999 of County General Fund contingency to fund a salary adjustment for the Multnomah County Auditor.

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

Under the authority of Section 8.10 of the Multnomah County Home Rule Charter, the Auditor's salary "...shall be four-fifths of a circuit court judge's salary." On August 9th, 2007, Governor Ted Kulongoski signed Senate Bill 994, which increased circuit court judges' annual salaries to \$111,132, effective July 1, 2007. Four-fifths of \$111,132 is \$88,906, the new annual salary for the auditor. This amount, plus associated increased fringe and insurance costs, is \$16,999 more than was included in the Auditor's FY 2008 budget.

Judges' salaries are set by the State Legislature and are not regularly adjusted. They have not increased since FY 2003. The increased salary amount for the Auditor was not included in the FY

2008 budget, as it was not known whether or not the bill to increase judges' salaries would pass. The Budget Office recommends that the salary increase be funded from the General Fund contingency, as were the Board of County Commissioner and District Attorney salary increases in FY 2007.

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

The General Fund Contingency is reduced by \$16,999 and the appropriation for Nondepartmental is increased by the same amount. This action will increase personnel costs in the future.

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

N/A

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

N/A

ATTACHMENT A

Budget Modification

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

- **What revenue is being changed and why?**
The Risk Fund revenue is being increased by \$4,736
- **What budgets are increased/decreased?**
The General Fund Contingency is reduced by \$16,999 and the appropriation for Nondepartmental is increased by the same amount.
- **What do the changes accomplish?**
The changes will allow the Auditor's Office to pay for the Auditor's new salary without overspending its appropriation.
- **Do any personnel actions result from this budget modification? Explain.**
None.
- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**
N/A
- **Is the revenue one-time-only in nature? Will the function be ongoing? What plans are in place to identify a sufficient ongoing funding stream?**
The contingency request is one time only, although the cost is ongoing and will increase in the future.
- **If a grant, what period does the grant cover?**
N/A
- **If a grant, when the grant expires, what are funding plans?**
N/A

Contingency Request

If the request is a **Contingency Request**, please answer all of the following in detail:

- **Why was the expenditure not included in the annual budget process?**
SB 994 did not pass and was not signed by the Governor until the end of the legislative session, well after the County's budget had been adopted.
- **What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?**
None
- **Why are no other department/agency fund sources available?**
These are General Fund costs.
- **Describe any new revenue this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account. What are the plans for future ongoing funding?**
This expenditure produces no new revenue or cost savings that are not already planned.

- **Has this request been made before? When? What was the outcome?**

No

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

ATTACHMENT B

BUDGET MODIFICATION: NOND - 01

Required Signatures

**Department/
Agency Director:**



Date: 08/29/07

Budget Analyst:

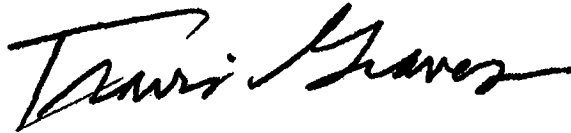


Date: 08/14/07

Department HR:

Date: _____

Countywide HR:



Date: 08/29/07



Department of County Management
MULTNOMAH COUNTY OREGON

Budget Office

501 SE Hawthorne Blvd., Suite 531
Portland, Oregon 97214
(503) 988-3312 phone
(503) 988-5758 fax
(503) 988-5170 TDD

TO: Board of County Commissioners

FROM: Julie Neburka, Principal Budget Analyst

DATE: August 13, 2007

SUBJECT: General Fund Contingency Request for \$16,999 to fund a salary adjustment for the Multnomah County Auditor (Budget Modification NOND-01).

The Auditor's Office requests \$16,999 from the General Fund contingency to pay for a charter-required increase to the County Auditor's salary, effective July 1st, 2007.

According to Section 8.10 of the Multnomah County Home Rule Charter, the Auditor's salary "...shall be four-fifths of a circuit court judge's salary." On August 9th, 2007, Governor Ted Kulongoski signed Senate Bill 994, which increased circuit court judges' annual salaries to \$111,132, effective July 1, 2007. Four-fifths of \$111,132 is \$88,906, the new annual salary for the auditor. This amount, plus associated increased fringe and insurance costs, is \$16,999 more than was included in the Auditor's FY 2008 budget.

Judges' salaries are set by the State Legislature and are not regularly adjusted. They have not increased since FY 2003; neither has the Auditor's salary. The increased salary amount for the Auditor was not included in the FY 2008 budget, as it was not known whether or not the bill to increase judges' salaries would pass. The Budget Office recommends that the salary increase be funded from the General Fund contingency, as were the Board of County Commissioner and District Attorney salary increases in FY 2007.

General Fund Contingency Policy Compliance

The Budget Office is required to inform the Board if contingency requests submitted for approval satisfy the general guidelines and policies for using the General Fund Contingency. The request is consistent with County Policy Criteria #2 as it was an unanticipated cost.

- Criteria 1 States contingency requests should be for one-time-only purposes. This request is not one time only and requires funding in the future.
- Criteria 2 Addresses emergencies and unanticipated situations. *This expenditure meets this requirement as it was unanticipated due to uncertainty inherent in the legislative process.*
- Criteria 3 Addresses items identified in Board Budget Notes. This item was not identified in a budget note.

Budget Modification ID: **Nond-01****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 2008

Line No.	Fund Center	Fund Code	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
				Internal Order	Cost Center	WBS Element						
1	10-30	1000	20		103000		60000		12,266	12,266		Increase Base Pay
2	10-30	1000	20		103000		60130		3,936	3,936		Increase Fringe
3	10-30	1000	20		103000		60140		797	797		Increase Insurance
4	19	1000	20		9500001000		60470		(16,999)	(16,999)	0	Decrease Contingency
5									0			
6	72-10	3500	0020		705210		50316		(797)	(797)		Insurance SR
7	72-10	3500	0020		705210		60330		797	797		Insurance SR
8									0			
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										0	0	Total - Page 1
										0	0	GRAND TOTAL



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

Board Clerk Use Only

Meeting Date: 09/06/07
Agenda Item #: R-3
Est. Start Time: 9:40 AM
Date Submitted: 08/28/07

Agenda Title: **ORDER Abandoning the Proposed Legalization of SW Hewett Boulevard as Described in the August 14, 2007 County Engineer's Report; and Directing the County's Land Use and Transportation Program to Prepare a Revised Legalization Proposal and Report Back to this Board**

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

Date Requested:	<u>September 6, 2007</u>	Time Requested:	<u>5 minutes</u>
Department:	<u>Community Services</u>	Division:	<u>Land Use & Transportation</u>
Contact(s):	<u>Robert Hovden, County Surveyor</u>		
Phone:	<u>503-988-5573</u>	Ext.	<u>85573</u>
		I/O Address:	<u>455/123</u>
Presenter(s):	<u>Robert Hovden</u>		

General Information

1. What action are you requesting from the Board?

The County's Land Use and Transportation Program (LUTP) requests that the Board abandon the proposed legalization of a portion SW Hewett Boulevard at this time and authorize LUTP to prepare a revised legalization proposal for the Board's consideration in accordance with ORS 368.201 to 368.221.

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

The legalization procedure is used to clarify the record of the right of way boundaries of a road. In this case, SW Hewett Boulevard was established as County Road No. 405 in 1886, and maintenance and improvements have changed its location over the years. The road as traveled and used for more than 10 years does not conform to the location of the road as described in the county records. Also, the location of the 1886 road cannot be accurately determined due to numerous alterations of the road and a defective survey.

On November 9, 2006, at the request of the Transportation Division, the Board initiated proceedings

to legalize a portion of SW Hewett Boulevard and directed the road to be surveyed. The County Surveyor has completed the survey.

On July 26, 2007, the Board set a hearing date for September 6, 2007 to consider if SW Hewett Boulevard should be legalized in its as traveled location. The County Engineer has recommended that the road ultimately be legalized in its as traveled location. Notice of this public hearing was sent to adjacent property owners by certified mail and the notice of the hearing was posted along the roadway as required by ORS 368.206(1) (c).

NOTE: However, further investigation has prompted the County's Transportation Division to reassess the proposed legalization because of numerous installations in the right-of-way. Accordingly the LUTP requests the Board abandon the proposed legalization at this time (as allowed under ORS 368.216 (1)), and authorize the LUTP to prepare a revised legalization proposal for Hewett Blvd. for the Board's consideration.

- 3. Explain the fiscal impact (current year and ongoing).**
Cost to road fund for costs of the legalization process.
- 4. Explain any legal and/or policy issues involved.**
This legalization will follow procedures as required by ORS 368.201 to 368.221.
- 5. Explain any citizen and/or other government participation that has or will take place.**
All adjacent property owners were sent notice of the public hearing to consider this legalization and notice was posted in the area as required by ORS 368.206(1)(c). All adjacent property owners will have an opportunity to express their concerns in writing or at the public hearing.

Required Signatures

Elected Official
or Department/
Agency Director:

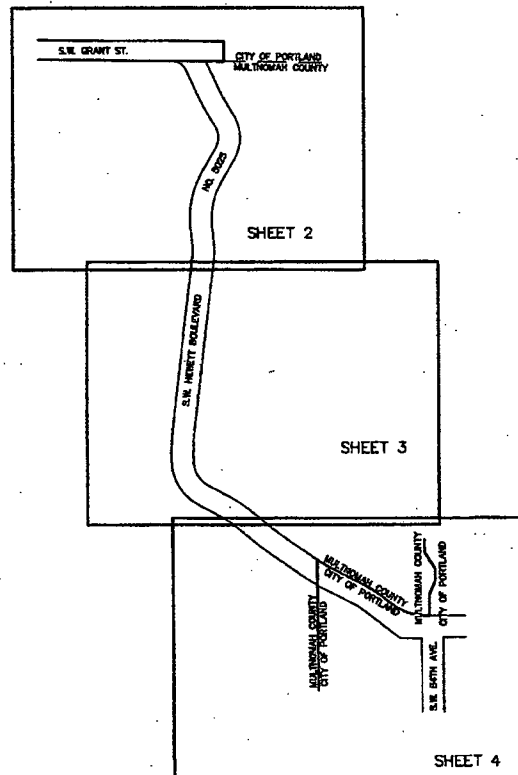


Date: 08/23/07

Jerry Elliot

S.W. HEWETT BOULEVARD NO. 5025
FROM S.W. GRANT STREET TO THE
NORTH-SOUTH CENTERLINE OF SECTION 7
LOCATED IN THE SW 1/4 OF SECTION 6 AND THE
NW 1/4 OF SECTION 7, T. 1 S., R. 1 E., W.M.
MULTNOMAH COUNTY, OREGON

MULTNOMAH COUNTY
 SURVEY RECORDS
 DATE AUGUST 1, 2007
 61433
 REGISTER NUMBER



NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO SURVEY THE EXISTING ALIGNMENT OF S.W. HEWETT BOULEVARD FROM THE CITY OF PORTLAND BOUNDARY AT S.W. GRANT STREET, SOUTHERLY TO THE CITY OF PORTLAND BOUNDARY WEST OF S.W. 50TH AVENUE, FOR LEGALIZATION PURPOSES.

S.W. HEWETT WAS ORIGINALLY ESTABLISHED AS COUNTY ROAD NO. 408 ON JULY 2, 1899 FOR MULTNOMAH COUNTY ROAD BOOK 2, PAGES 139 THROUGH 167. THE IMPROVED ROADWAY, AS IT PRESENTLY EXISTS, NO LONGER LIES ENTIRELY WITHIN THE ORIGINALLY ESTABLISHED RIGHT-OF-WAY. THE COUNTY TRIED TO CORRECT THIS SITUATION IN 1931, AS SHOWN ON ROAD MAP CS/3, HOWEVER THIS WORK WAS NEVER FINALIZED. THIS SURVEY SEEMS TO REMEDY THIS BY LEGALIZING THE PRESENT AS-TRAVELED ALIGNMENT OF THE IMPROVED ROADWAY.

THE PROCEDURE USED TO CREATE THE LEGALIZED ALIGNMENT WAS TO LOCATE (1) THE PAVEMENT EDGES OF THE PRESENT APPROVED ROADWAY AND HOLD THESE AS THE BASIS OF THE NEW CENTERLINE. TANGENTS WERE FITTED TO THE STRAIGHT PORTIONS OF THE ROADWAY AND GEOMETRICALLY REGULAR CURVILINEAR CURVES WERE FITTED TO ACCOMMODATE THE CURVED PORTIONS OF THE ROADWAY. ROAD RIGHT-OF-WAY EXTENDS TO 30' ON EACH SIDE OF THE CENTERLINE.

A FIELD SEARCH WAS CONDUCTED FOR ALL MONUMENTS OF RECORD ALONG THE RIGHT-OF-WAY AND THOSE FOUND WERE TIED. FOUND MONUMENTS APPEAR ON THE DRAWING AND ARE DESCRIBED IN THE ACCOMPANYING MONUMENT TABLES.

THE SOUTH LINE OF S.W. GRANT STREET AT THE NORTH END OF THE PROJECT WAS DETERMINED BY HOLDING MONUMENTS 119 AND 120 PER SN 50677.

THE CITY OF PORTLAND BOUNDARY AT THE SOUTH END OF THE PROJECT WAS ESTABLISHED BY HOLDING THE CENTER OF SECTION LINE AS SHOWN ON MULTNOMAH COUNTY G.P.S. SURVEY OF T. 1 S., R. 1 E., AND RECORDED AS SN 59420. G.P.S. CONTROL POINTS WERE SET FOR THIS PROJECT IN ORDER TO OBTAIN A RELATIONSHIP TO SN 59420. A SCALE FACTOR OF 1.00000772 WAS USED TO CONVERT GRID DISTANCES TO GROUND DISTANCES. A ROTATION ANGLE OF -1.35705" WAS USED TO CONVERT FROM GRID BEARINGS SHOWN ON SN 59420 TO TRUE GEODETIC BEARINGS ON THIS SURVEY.

BASIS OF BEARINGS

TRUE GEODETIC PER G.P.S. OBSERVATIONS.

REFERENCE SURVEYS

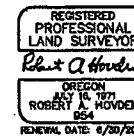
MULTNOMAH COUNTY SURVEY RECORDS; ROAD BOOK 2, PAGES 139-167; SN CS/3 AND COUNTY ROAD FIELD BOOK NO. 064, PAGES 1-15.

LEGEND

G.P.S. GLOBAL POSITIONING SYSTEM.

SN SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS.

THIS DRAWING SUPERCEDES AND REPLACES SN 61269



I CERTIFY THAT THIS SURVEY WAS PREPARED USING HP PRODUCT DESPITE OR CONTINGENT UPON POLYESTER FILM.

MULTNOMAH COUNTY	
DEPARTMENT OF COMMUNITY SERVICES TRANSPORTATION DIVISION / COUNTY SURVEYOR'S OFFICE 1900 S.E. 100TH AVE., PORTLAND, OR 97233	
SW HEWETT BLVD. NO. 5025 LEGALIZATION	
ROBERT A. HOWDEN, P.L.S. COUNTY SURVEYOR	
DRAFTED: BRD	CHECKED: RAH
DATE: 8/2/2007	SCALE: 1" = 200'
SHEET 1	OF 4

61433

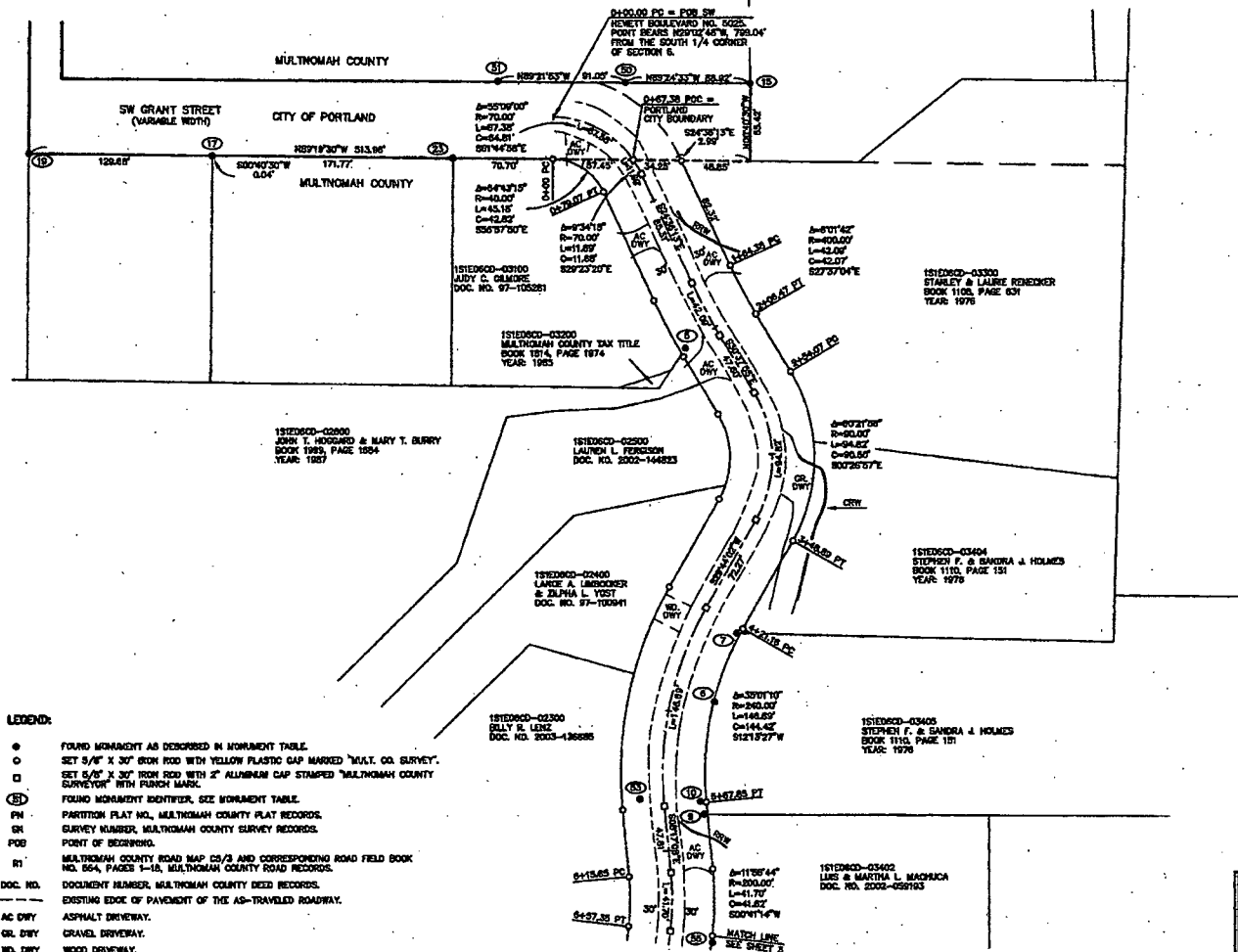
61433

MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	MONUMENT DESCRIPTION	REFERENCE
1	0+00.00	0.00	1/2" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MUL. CO. SURVEY"	BN 25833
2	0+00.00	0.00	1/2" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MUL. CO. SURVEY"	BN 25833
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20	0+00.00	0.00	1/2" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MUL. CO. SURVEY"	BN 25833

S.W. HEWETT BOULEVARD NO. 5025
FROM S.W. GRANT STREET TO THE
NORTH-SOUTH CENTERLINE OF SECTION 7
LOCATED IN THE SW 1/4 OF SECTION 6 AND THE
NW 1/4 OF SECTION 7, T. 1 S., R. 1 E., W.M.
MULTNOMAH COUNTY, OREGON

MULTNOMAH COUNTY
SURVEY RECORDS
DATE AUGUST 1, 2007
61433
REGISTER NUMBER



- LEGEND:
- FOUND MONUMENT AS DESCRIBED IN MONUMENT TABLE.
 - SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MUL. CO. SURVEY".
 - SET 5/8" X 30" IRON ROD WITH 2" ALUMINUM CAP STAMPED "MULTNOMAH COUNTY SURVEY" WITH PUNCH MARK.
 - ⑤ FOUND MONUMENT IDENTIFIER, SEE MONUMENT TABLE.
 - PH PARTITION PLAT NO., MULTNOMAH COUNTY PLAT RECORDS.
 - BN SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS.
 - POB POINT OF BEGINNING.
 - RI MULTNOMAH COUNTY ROAD MAP 25/3 AND CORRESPONDING ROAD FIELD BOOK NO. 254, PAGES 1-18, MULTNOMAH COUNTY ROAD RECORDS.
 - DOC. NO. DOCUMENT NUMBER, MULTNOMAH COUNTY DEED RECORDS.
 - EXISTING EDGE OF PAVEMENT OF THE AS-TRAVELED ROADWAY.
 - AC DRY ASPHALT DRIVEWAY.
 - GR DRY GRAVEL DRIVEWAY.
 - WD DRY WOOD DRIVEWAY.
 - REW ROCK RETAINING WALL.
 - CW CONCRETE RETAINING WALL.

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Robert A. Hovden
OREGON
ROBERT A. HOVDEN
954
RENEWAL DATE: 8/30/2007

I CERTIFY THAT THIS SURVEY WAS PREPARED USING HP PRODUCT
04571A ON CONTINENTAL JFOM2 POLYESTER FILM

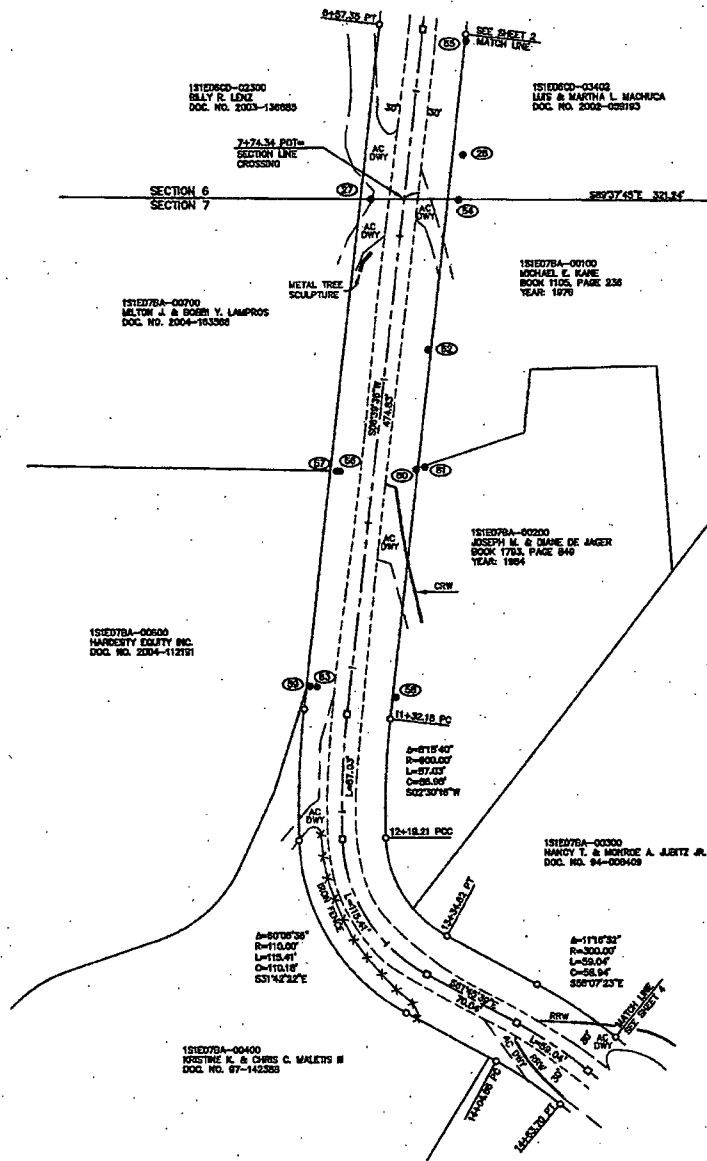
MULTNOMAH COUNTY DEPARTMENT OF COMMUNITY SERVICES TRANSPORTATION DIVISION / COUNTY SURVEYOR'S OFFICE 1800 S.E. 180TH AVE. PORTLAND, OR 97233	
SW HEWETT BLVD. NO. 5025 LEGALIZATION	
ROBERT A. HOVDEN, P.L.S. COUNTY SURVEYOR	
DRAFTED: SRD DATE: 2/2/2007	CHECKED: RAH SCALE: 1" = 50' SHEET: 2 OF 4

61433

61433

S.W. HEWETT BOULEVARD NO. 5025
FROM S.W. GRANT STREET TO THE
NORTH-SOUTH CENTERLINE OF SECTION 7
LOCATED IN THE SW 1/4 OF SECTION 6 AND THE
NW 1/4 OF SECTION 7, T. 1 S., R. 1 E., W.M.
MULTNOMAH COUNTY, OREGON

MULTNOMAH COUNTY
SURVEY RECORDS
DATE AUGUST 1, 2007
61433
REGISTER NUMBER



1/4 CORNER COMMON TO SECTIONS
 6 AND 7- FOUND 6\" X 6\" CONCRETE
 POST WITH 4\" BRASS DISC, MARKED
 AS SHOWN (B.T. E-952) DOWN 0.7



LEGEND:

- FOUND MULTNOMAH COUNTY MONUMENT AS DESCRIBED.
- FOUND MONUMENT AS DESCRIBED IN MONUMENT TABLE.
- SET 5/8\" X 30\" IRON ROD WITH YELLOW PLASTIC CAP MARKED \"WAT. CO. SURVEY\".
- SET 5/8\" X 30\" IRON ROD WITH 4\" ALUMINUM CAP STRAPPED \"MULTNOMAH COUNTY SURVEYOR\" WITH PURCH MARK.
- Ⓢ FOUND MONUMENT IDENTIFIED, SEE MONUMENT TABLE.
- PN PARTITION PLAT NO., MULTNOMAH COUNTY PLAT RECORDS.
- SN SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS.
- POB POINT OF BEGINNING.
- RI MULTNOMAH COUNTY ROAD MAP (S/S) AND CORRESPONDING ROAD FIELD BOOK NO. 504, PAGES 1-16, MULTNOMAH COUNTY ROAD RECORDS.
- EXISTING EDGE OF PAVEMENT OF THE AS-TRAVELED ROADWAY.
- DOC. NO. DOCUMENT NUMBER, MULTNOMAH COUNTY DEED RECORDS.
- AC DRY ASPHALT DRIVEWAY.
- RW ROCK RETAINING WALL.
- CRW CONCRETE RETAINING WALL.
- B.T. BEARING TREE BOOK AND PAGE.

MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	MONUMENT DESCRIPTION	REFERENCE
15	0+00.00	0.00' N	IRON ROD WITH RED PLASTIC CAP MARKED \"CENTRALINK CONCEPTS INC.\" UP 0.1	SN 07583
16	0+00.00	0.00' N	IRON ROD WITH RED PLASTIC CAP MARKED \"CENTRALINK CONCEPTS INC.\" UP 0.1	SN 07583
17	0+00.00	0.00' N	IRON ROD WITH RED PLASTIC CAP MARKED \"CENTRALINK CONCEPTS INC.\" UP 0.1	SN 07583
18	0+00.00	0.00' N	IRON ROD WITH RED PLASTIC CAP MARKED \"CENTRALINK CONCEPTS INC.\" UP 0.1	SN 07583
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20	0+00.00	0.00' N	IRON ROD WITH RED PLASTIC CAP MARKED \"CENTRALINK CONCEPTS INC.\" UP 0.1	SN 07583
21	0+00.00	0.00' N	IRON ROD WITH RED PLASTIC CAP MARKED \"CENTRALINK CONCEPTS INC.\" UP 0.1	SN 07583
22	0+00.00	0.00' N	IRON ROD WITH RED PLASTIC CAP MARKED \"CENTRALINK CONCEPTS INC.\" UP 0.1	SN 07583
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24	0+00.00	0.00' N	IRON ROD WITH RED PLASTIC CAP MARKED \"CENTRALINK CONCEPTS INC.\" UP 0.1	SN 07583
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53	0+00.00	0.00' N	IRON ROD WITH RED PLASTIC CAP MARKED \"CENTRALINK CONCEPTS INC.\" UP 0.1	SN 07583
54	0+00.00	0.00' N	IRON ROD WITH RED PLASTIC CAP MARKED \"CENTRALINK CONCEPTS INC.\" UP 0.1	SN 07583
55	0+00.00	0.00' N	IRON ROD WITH RED PLASTIC CAP MARKED \"CENTRALINK CONCEPTS INC.\" UP 0.1	SN 07583

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Robert A. Hovden
 OREGON
 JULY 16, 1971
 ROBERT A. HOVDEN
 054
 RENEWAL DATE: 6/30/2007

I CERTIFY THAT THIS SURVEY WAS PREPARED USING 1/2\" PRODUCT
 CASTING ON CONTINENTAL 40-GRAM POLYESTER FILM.

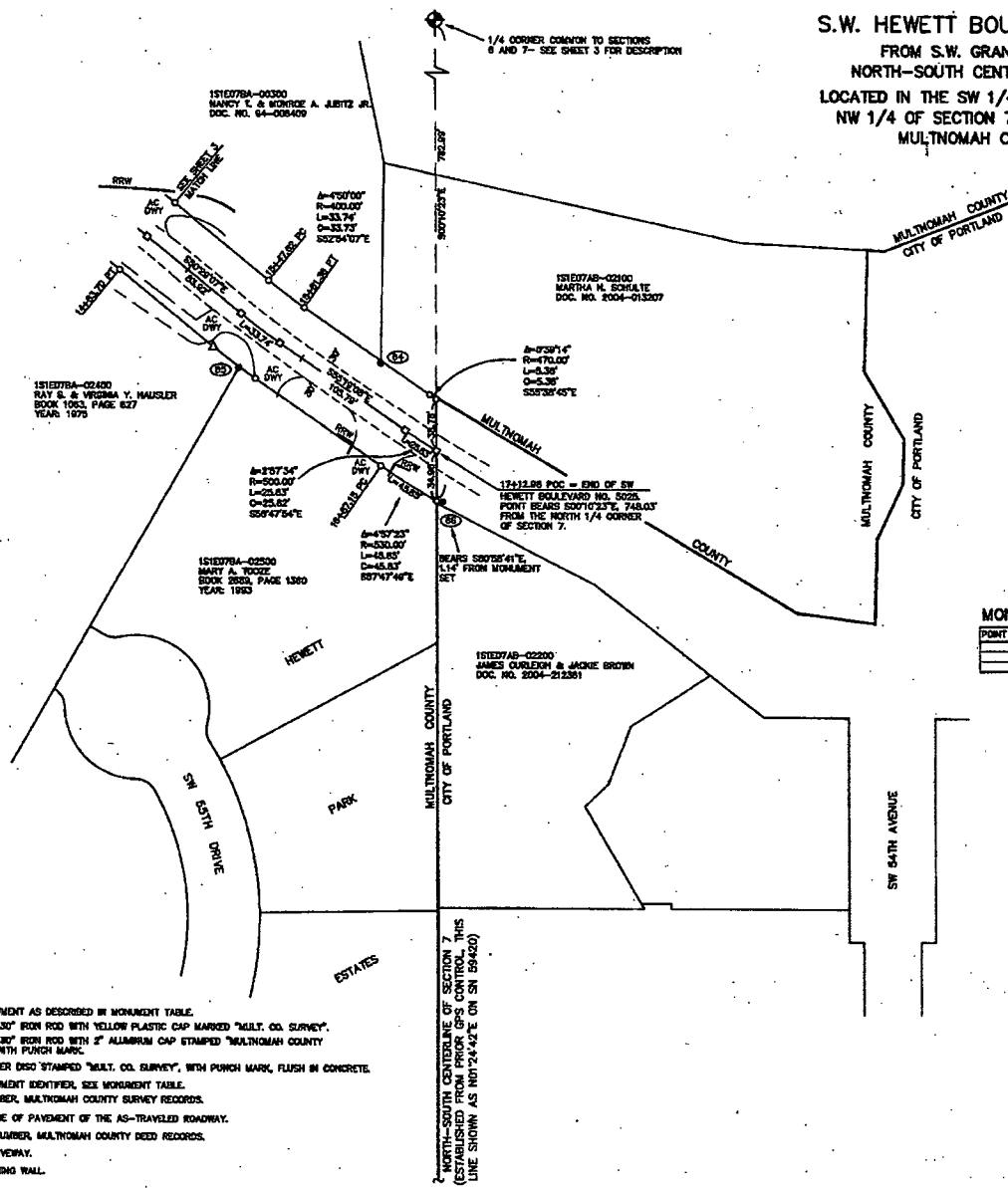
MULTNOMAH COUNTY	
DEPARTMENT OF COMMUNITY SERVICES TRANSPORTATION DIVISION / COUNTY SURVEYOR'S OFFICE 1800 S.E. 180TH AVE., PORTLAND, OR 97233	
SW HEWETT BLVD. NO. 5025 LEGALIZATION	
ROBERT A. HOVDEN, P.L.S. COUNTY SURVEYOR	
DRAFTED: GRD	CHECKED: RAH
DATE: 2/2/2007	SCALE: 1\" = 50'
3 of 4	

61433

61433

S.W. HEWETT BOULEVARD NO. 5025
FROM S.W. GRANT STREET TO THE
NORTH-SOUTH CENTERLINE OF SECTION 7
LOCATED IN THE SW 1/4 OF SECTION 6 AND THE
NW 1/4 OF SECTION 7, T. 1 S., R. 1 E., W.M.
MULTNOMAH COUNTY, OREGON

MULTNOMAH COUNTY
 SURVEY RECORDS
 DATE AUGUST 1, 2007
 61433
 REGISTER NUMBER

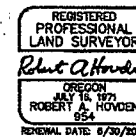


MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	MONUMENT DESCRIPTION	REFERENCE
15	1515734	0-0.00	1/2" IRON ROD WITH YELLOW PLASTIC CAP	DEED 1515734
16	1515735	0-0.00	1/2" IRON ROD WITH YELLOW PLASTIC CAP	DEED 1515735
17	1515736	0-0.00	1/2" IRON ROD WITH YELLOW PLASTIC CAP	DEED 1515736

LEGEND:

- FOUND MONUMENT AS DESCRIBED IN MONUMENT TABLE.
- SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MULT. CO. SURVEY".
- SET 5/8" X 30" IRON ROD WITH 2" ALUMINUM CAP STAMPED "MULTNOMAH COUNTY SURVEYOR" WITH PUNCH MARK.
- △ SET 1" COPPER DISC STAMPED "MULT. CO. SURVEY", WITH PUNCH MARK, FLUSH IN CONCRETE.
- Ⓢ FOUND MONUMENT IDENTIFIED, SEE MONUMENT TABLE.
- SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS.
- EXISTING EDGE OF PAVEMENT OF THE AS-TRAVELED ROADWAY.
- DOC. NO. DOCUMENT NUMBER, MULTNOMAH COUNTY DEED RECORDS.
- AC DRY ASPHALT DRIVEWAY.
- RRW ROCK RETAINING WALL.



I CERTIFY THAT THIS SURVEY WAS PREPARED USING HP PRODUCT
 CASTRA OR CONTINENTAL JPC-ME POLYESTER FILM.

MULTNOMAH COUNTY	
DEPARTMENT OF COMMUNITY SERVICES	
TRANSPORTATION DIVISION / COUNTY SURVEYOR'S OFFICE	
1800 S.E. 190TH AVE., PORTLAND, OR 97233	
SW HEWETT BLVD. NO. 5025 LEGALIZATION	
ROBERT A. HOVDEN, P.L.S. COUNTY SURVEYOR	
DRAFTED: SRD	CHECKED: RAH
DATE: 8/2/2007	SCALE: 1" = 50'
4 OF 4	

61433

61433



Department of Community Services

MULTNOMAH COUNTY OREGON

Land Use and Transportation Program

1600 SE 190th Avenue
Portland, Oregon 97233-5910
(503) 988-5050

August 14, 2007

Multnomah County
Board of County Commissioners
501 SE Hawthorne Blvd
Portland OR 97214

RE: County Engineer's Report for Legalization of SW Hewett Boulevard No. 5025

Dear Commissioners:

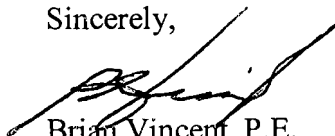
The Department of Community Services - Land Use and Transportation Program has completed preliminary proceedings for legalization of SW Hewett Boulevard. The existing road as-traveled and used for more than ten years does not conform to the location of the road as described in the County Records. SW Hewett Boulevard was first established in 1886 as County Road No. 405, and maintenance and improvements have changed its location over the years. The original 1886 survey of this road is defective, and its location can not be surveyed. An attempt to legalize this road was made in 1931, but the final order was denied.

The County Surveyor has completed the survey of the road "as-traveled," and the final map and description has been prepared. A letter and a map showing their property has been sent to all the property owners along this road. The right-of-way was set at the standard county road width of 60 feet. No structures are within the right-of-way except for retaining walls, fences, and gates, which will be allowed to stay.

Written notice of the proceedings for legalization has been mailed to all abutting property owners by certified mail and the notice has been posted along SW Hewett Boulevard as required by ORS 368.206 (B)(c).

I am requesting that the Board of County Commissioners approve an Order legalizing SW Hewett Boulevard in its "as-traveled" location and as shown on the final survey map.

Sincerely,



Brian Vincent, P.E.
County Engineer

c: County Surveyor

BVCK3450.LTR (TRANRM0077)

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 07-132

Scheduling a Public Hearing and Directing Notice Thereof for the Consideration of the Legalization of a Portion of SW Hewett Boulevard

The Multnomah County Board of Commissioners Finds:

- a. SW Hewett Boulevard was established as County Road No. 405 in 1886 and maintenance and improvements have changed its location over the years.
- b. On November 9, 2006, consistent with ORS 368.201 to 368.221, the Board of Commissioners by the adoption of Resolution No. 06-184, initiated proceedings for legalizing SW Hewett Boulevard in its as traveled location and directed the County Surveyor to conduct a survey of the road.
- c. As required under ORS 368.206(1), the County Surveyor has completed the survey of the road and prepared a report to the Board with the proposed new County Road Number "5025."
- d. The above referenced statutes require the County to hold a public hearing to consider legalization of SW Hewett Boulevard and provide notice thereof by personal service to the abutting property owners and by posting.

The Multnomah County Board of Commissioners Resolves:

1. The Board of County Commissioner will hold a hearing on Thursday, September 6, 2007 at 9:30 a.m., in the Multnomah Building, First Floor Commissioners Boardroom 100, 501 SE Hawthorne Boulevard, Portland, Oregon.
2. The purpose of the hearing is to determine whether the legalization of SW Hewett Boulevard, as County Road No. 5025, is in the public's interest. The hearing will concern SW Hewett Boulevard from SW Grant Street southeasterly, about 1,650 feet to the North-South centerline of Section 7, T1S, R1E, WM.
3. The County Surveyor is directed to provide notice of the hearing to abutting property owners and by posting in a manner consistent with ORS 368.401-368.426 by service to owners of abutting land and by posting.
4. The notice shall comply with ORS 368.426 and advise that all persons interested in or concerned with the road are invited to attend the hearing.

5. Further the notice shall provide the following information:

- That any objections to the proposal or other information relating thereto must be filed in the Multnomah County Surveyor's Office, 1600 SE 190th Avenue, Portland, Oregon 97233, on or before September 4, 2007;
- A statement as follows: "For more information, call Robert Hovden, County Surveyor at 503-988-5573".

ADOPTED this 26th day of July, 2007.

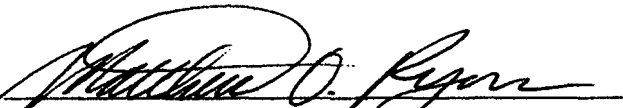


BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director, Department of Community Services

In the matter of the)
legalization of SW Hewett)
Boulevard No. 5025)

AFFIDAVIT OF
ROBERT A. HOVDEN RELATING
TO NOTICE PROCEDURE PURSUANT
TO ORS 368.421

1) I, Robert A. Hovden, P.L.S., do hereby state that I am the County Surveyor for Multnomah County, Oregon.

2) I certify that notice was served of the public hearing on the legalization of SW Hewett Boulevard, County Road No. 5025, to the following persons or agencies:

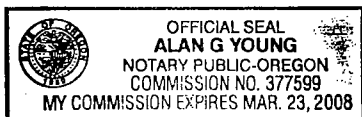
LENZ, BILLY R;
LIMBOCKER, LANCE A & YOST, ZILPHA L;
FERGISON, LAUREN L TR;
HOGGARD, JOHN T & BURRY, MARY T;
GILMORE, JUDY C;
RENECKER, STANLEY & LAURIE;
MACHUCA, LUIS & MARTHA L;
HOLMES, STEPHEN F & SANDRA J;
SCHULTE, HENRY & MARTHA H;
KANE, MICHAEL E;
DE JAGER, JOSEPH M & DIANE;
JUBITZ, MONROE A JR & NANCY T;
MALETIS, CHRIS C III & KRISTINE K;
HARDESTY EQUITY INC;
LAMPROS, MILTON J & BOBBI Y;
TOOZE, MARY A TR

3) The notice was consistent with the requirements of ORS 368.426 and included copies of the Notice of Public Hearing (Resolution No. 07-132) and was served by certified mail return receipt requested, to the parties identified above in Paragraph 2.

4) I further certify that on August 6, 2007, notice was posted of the public hearing on the legalization of SW Hewett Boulevard, County Road No. 5025, at the following places:

1. On PGE power pole number D11 06C - 3349 (1957) on the West side of road near Station 2+50.
2. On PGE power pole number D11 07B - 731 (1992) on the West side of road near Station 11+30.
3. On 30" Douglas Fir on the South side of road near Station 16+75.

5) The posted notice was consistent with the requirements of ORS 368.426 and included copies of the Notice of Public Hearing (Resolution No. 07-132) posted along said road in a manner to facilitate reading by passersby.



Robert A. Hovden
Robert A. Hovden, P.L.S., County Surveyor
Department of Community Services
Multnomah County, Oregon

Subscribed and sworn to before me this 6 day of August, 2007.

Alan M. Young
Notary Public for Oregon
My commission expires 3/23/08

In the matter of the)
legalization of SW Hewett)
Boulevard No. 5025)

AFFIDAVIT OF
ROBERT A. HOVDEN RELATING
TO NOTICE PROCEDURE PURSUANT
TO ORS 368.421

1) I, Robert A. Hovden, P.L.S., do hereby state that I am the County Surveyor for Multnomah County, Oregon.

2) I certify that notice was served of the public hearing on the legalization of SW Hewett Boulevard, County Road No. 5025, to the following persons or agencies:

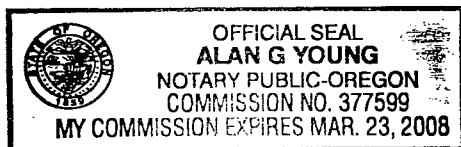
LENZ, BILLY R;
LIMBOCKER, LANCE A & YOST, ZILPHA L;
FERGISON, LAUREN L TR;
HOGGARD, JOHN T & BURRY, MARY T;
GILMORE, JUDY C;
RENECKER, STANLEY & LAURIE;
MACHUCA, LUIS & MARTHA L;
HOLMES, STEPHEN F & SANDRA J;
SCHULTE, HENRY & MARTHA H;
KANE, MICHAEL E;
DE JAGER, JOSEPH M & DIANE;
JUBITZ, MONROE A JR & NANCY T;
MALETIS, CHRIS C III & KRISTINE K;
HARDESTY EQUITY INC;
LAMPROS, MILTON J & BOBBI Y;
TOOZE, MARY A TR

3) The notice was consistent with the requirements of ORS 368.426 and included copies of the Notice of Public Hearing (Resolution No. 07-132) and was served by certified mail return receipt requested, to the parties identified above in Paragraph 2.

4) I further certify that on August 6, 2007, notice was posted of the public hearing on the legalization of SW Hewett Boulevard, County Road No. 5025, at the following places:

1. On PGE power pole number D11 06C – 3349 (1957) on the West side of road near Station 2+50.
2. On PGE power pole number D11 07B –731 (1992) on the West side of road near Station 11+30.
3. On 30" Douglas Fir on the South side of road near Station 16+75.

5) The posted notice was consistent with the requirements of ORS 368.426 and included copies of the Notice of Public Hearing (Resolution No. 07-132) posted along said road in a manner to facilitate reading by passersby.



Robert A. Hovden

Robert A. Hovden, P.L.S., County Surveyor
Department of Community Services
Multnomah County, Oregon

Subscribed and sworn to before me this 6 day of August, 2007.

Alan G. Young
Notary Public for Oregon
My commission expires 3/23/08

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDER NO. _____

Abandoning the Proposed Legalization of SW Hewett Boulevard as Described in the August 14, 2007 County Engineer's Report; and Directing the County's Land Use and Transportation Program to Prepare a Revised Legalization Proposal and Report Back to this Board

The Multnomah County Board of Commissioners Finds:

- a. SW Hewett Boulevard was established as a County Road in 1886, and maintenance and improvements have changed its location over the years.
- b. The above-described SW Hewett Boulevard is a road that has been traveled and used by the public for more than 10 years in a location that does not conform to the location of the road as described in the County Records.
- c. On November 9, 2006, the Board initiated proceedings for legalizing SW Hewett Boulevard in its as-traveled location and directed the County Surveyor to conduct a survey of the road.
- d. The County Surveyor has completed the survey of the road. The County Engineer had filed a written report on August 14, 2007 recommending legalization of SW Hewett Boulevard. However, subsequent to the completion of the survey and the County Engineer's report, further investigation of the affected road prompted the County road officials to reassess the significance of the numerous installations in the right-of-way (amongst other factors) and hence to the realization that the legalization order as presently drafted would need to be revised.
- e. By Resolution 07-132 adopted on July 26, 2007, the Board scheduled a public hearing on September 6, 2007 to consider legalization of SW Hewett Boulevard.
- f. The County Surveyor provided notice of the hearing to interested parties by certified mail and by posting along the roadway in a manner consistent with ORS 368.401 – 368.426. .
- g. The Board has determined that ultimately legalization of the said portion of SW Hewett Boulevard is in the public interest, but the present proposal needs to be revised before it is accepted. .
- h. Accordingly the Board finds it is in the public's interest to abandon the August 14, 2007 legalization proposal and to direct the County's Land Use and Transportation Program to revise the proposal in compliance with all the requirements of ORS 368.201 to ORS 368.221 and report back to this Board in as timely a manner as possible.

The Multnomah County Board of Commissioners Orders:

1. That the August 14, 2007 proposal to legalize SW Hewett Boulevard from the South line of SW Grant Street southeasterly approximately 0.3 Mile to the East line of the Northwest one-quarter of Section 7, T1S, R1E, WM, as more particularly described in the attached Exhibit "A," and as shown on Survey No. 61433, Multnomah County Survey Records is hereby abandoned.

2. The County's Land Use and Transportation Program to revise the legalization proposal for SW Hewett Boulevard in compliance with all the requirements of ORS 368.201 to ORS 368.221 and report back to this Board in as timely a manner as possible.

ADOPTED this 6th day of September, 2007.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director, Dept. of Community Services

EXHIBIT "A"

SW HEWETT BOULEVARD No. 5025

A strip of land in the Southwest one-quarter of Section 6 and the Northwest one-quarter of Section 7, Township 1 South, Range 1 East, Willamette Meridian, Multnomah County, Oregon, said strip of land running from the South line of SW Grant Street, southeasterly along the centerline of the as-traveled SW Hewett Boulevard to its intersection with the East line of the Northwest one-quarter of said Section 7, said strip of land being 60 feet in width, 30 feet on each side of the following described centerline:

Beginning at Engineer's Station 0+00.00 PC, said station being on the centerline of said SW Grant Street and bears N29°02'48"W, a distance of 799.04 feet from a 4" brass disc in concrete post found at the South one-quarter corner of said Section 6;

Thence on a curve to the right, having a radius of 70.00 feet, through a central angle of 64°43'15" (long chord of which bears S56°57'50"E, a distance of 74.93 feet), an arc distance of 79.07 feet to Engineer's Station 0+79.07 PT;

Thence S24°36'13"E, a distance of 85.31 feet to Engineer's Station 1+64.38 PC;

Thence on a curve to the left, having a radius of 400.00 feet, through a central angle of 6°01'42" (long chord of which bears S27°37'04"E, a distance of 42.07 feet), an arc distance of 42.09 feet to Engineer's Station 2+06.47 PT;

Thence S30°37'55"E, a distance of 47.60 feet to Engineer's Station 2+54.07 PC;

Thence on a curve to the right, having a radius of 90.00 feet, through a central angle of 60°21'56" (long chord of which bears S00°26'57"E, a distance of 90.50 feet), an arc distance of 94.82 feet to Engineer's Station 3+48.89 PT;

Thence S29°44'02"W, a distance of 72.27 feet to Engineer's Station 4+21.16 PC;

Thence on a curve to the left, having a radius of 240.00 feet, through a central angle of 35°01'10" (long chord of which bears S12°13'27"W, a distance of 144.42 feet), an arc distance of 146.69 feet to Engineer's Station 5+67.85 PT;

Thence S05°17'08"E, a distance of 47.81 feet to Engineer's Station 6+15.65 PC;

Thence on a curve to the right, having a radius of 200.00 feet, through a central angle of 11°56'44" (long chord of which bears S00°41'14"W, a distance of 41.62 feet), an arc distance of 41.70 feet to Engineer's Station 6+57.35 PT;

Thence S06°39'36"W, a distance of 474.83 feet to Engineer's Station 11+32.18 PC;

Thence on a curve to the left, having a radius of 600.00 feet, through a central angle of 8°18'40" (long chord of which bears S02°30'16"W, a distance of 86.96 feet), an arc distance of 87.03 feet to Engineer's Station 12+19.21 PCC;

Thence on a curve to the left, having a radius of 110.00 feet, through a central angle of $60^{\circ}06'36''$ (long chord of which bears $S31^{\circ}42'22''E$, a distance of 110.18 feet), an arc distance of 115.41 feet to Engineer's Station 13+34.62 PT;

Thence $S61^{\circ}45'39''E$, a distance of 70.04 feet to Engineer's Station 14+04.66 PC;

Thence on a curve to the right, having a radius of 300.00 feet, through a central angle of $11^{\circ}16'32''$ (long chord of which bears $S56^{\circ}07'23''E$, a distance of 58.94 feet), an arc distance of 59.04 feet to Engineer's Station 14+63.70 PT;

Thence $S50^{\circ}29'07''E$, a distance of 83.92 feet to Engineer's Station 15+47.62 PC;

Thence on a curve to the left, having a radius of 400.00 feet, through a central angle of $4^{\circ}50'00''$ (long chord of which bears $S52^{\circ}54'07''E$, a distance of 33.73 feet), an arc distance of 33.74 feet to Engineer's Station 15+81.36 PT;

Thence $S55^{\circ}19'08''E$, a distance of 105.79 feet to Engineer's Station 16+87.15 PC;

Thence on a curve to the left, having a radius of 500.00 feet, through a central angle of $2^{\circ}57'34''$ (long chord of which bears $S56^{\circ}47'54''E$, a distance of 25.82 feet), an arc distance of 25.83 feet to Engineer's Station 17+12.98 EP, and a point on the East line of said Northwest one-quarter of Section 7, said point bears $S00^{\circ}10'23''E$, a distance of 748.03 feet from a 4" brass disc in concrete post found at the North one-quarter corner of said Section 7;

The side lines of the above described strip of land are extended or shortened to terminate on the North at the South line of SW Grant Street and on the East by the East line of the Northwest one-quarter of said Section 7.

The heretofore description is written and based on a survey by Robert A. Hovden, Multnomah County Surveyor, recorded as Survey Number 61433, Multnomah County Survey Records, and by said reference are hereby made a part thereof.

BOGSTAD Deborah L

From: ROJO DE STEFFEY Maria
Sent: Thursday, August 30, 2007 3:17 PM
To: BOGSTAD Deborah L
Subject: FW: Board Agenda Item - September 6, Legalization of S.W. Hewett Blvd.

fyi

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

From: PEOPLES Kim E
Sent: Thursday, August 30, 2007 2:55 PM
To: WHEELER Ted; ROJO DE STEFFEY Maria; FARVER Bill; MARTINEZ David; LASHUA Matthew
Cc: JOHNSON Cecilia; RYAN Matthew O; ELLIOTT Gerald T; VINCENT Brian S; HOVDEN Robert A
Subject: Board Agenda Item - September 6, Legalization of S.W. Hewett Blvd.

In July, Land Use and Transportation brought before you a request for setting a public hearing for the legalization of S.W. Hewett Blvd. The hearing date is set for Sept. 6th. Subsequently however, we found deficiencies with our analysis and process that require us to abandon our current proposal as drafted.

Consequently, the item before the Board on September 6th, is to "abandon" the proposed legalization of S.W. Hewett Blvd. and direct staff to prepare a revised legalization order request and present the the revised proposal at a later date.

Although, we are not aware of any proposed public testimony on this matter LUT will be sending a letter to the affected property owners notifying them of this change, e.g., to abandon this particular legalization order and that the legalization will be revised and presented at a later date. (see attached)

Kim Peoples
Road Services Manager
Multnomah County
1620 SE 190th Ave.
Portland, Oregon 97233
503-988-5050, ext. 26797



Department of Community Services

MULTNOMAH COUNTY OREGON

Land Use and Transportation Program

1600 SE 190th Avenue
Portland, Oregon 97233-5910
(503) 988-5050

August 30, 2007

<Name>

<Address>

<City>, Oregon <Zip>

Re: S.W. Hewett Boulevard Legalization Hearing;
Time: September 6, 2007, after 9:30 AM;
Location: Room 100, at 501 SE Hawthorne Boulevard, Portland, Oregon

Dear <Name>;

I am writing to you on behalf of the Multnomah County's Land Use and Transportation Program (LUTP). On July 31, 2007, Robert Hovden, the County Surveyor, sent you a notice for the above-scheduled hearing before County Board of Commissioners (Board). The purpose of the hearing was to be for the Board to consider the proposed legalization of SW Hewett Boulevard from SW Grant Street southeasterly to the North-South centerline of Section 7, T1S, R1E, WM.

Please be advised that although the hearing is still scheduled for September 6, 2007; the LUTP has reconsidered the proposal and is now going to recommend at the hearing that the Board abandon the legalization of S.W. Hewett Boulevard as presently proposed. Further the LUTP will request that the Board authorize staff to prepare a revised legalization order for S.W. Hewett Boulevard and present the revised proposal at a later date.

We want to assure you that the County will provide the appropriate notice and opportunity for interested parties to participate in this process as required by State law with respect to any revised legalization order that is submitted to the Board. Thank you for your patience, and if you have any questions, please contact either of us at the phone numbers indicated.

Sincerely,

Robert Hovden, PLS
Multnomah County Surveyor
Telephone: (503) 988-5573

Brian Vincent, PE
Multnomah County Engineer
Telephone: (503) 988-5050, Ext. 29642

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDER NO. 07-147

Abandoning the Proposed Legalization of SW Hewett Boulevard as Described in the August 14, 2007 County Engineer's Report; and Directing the County's Land Use and Transportation Program to Prepare a Revised Legalization Proposal and Report Back to this Board

The Multnomah County Board of Commissioners Finds:

- a. SW Hewett Boulevard was established as a County Road in 1886, and maintenance and improvements have changed its location over the years.
- b. The above-described SW Hewett Boulevard is a road that has been traveled and used by the public for more than 10 years in a location that does not conform to the location of the road as described in the County Records.
- c. On November 9, 2006, the Board initiated proceedings for legalizing SW Hewett Boulevard in its as-traveled location and directed the County Surveyor to conduct a survey of the road.
- d. The County Surveyor has completed the survey of the road. The County Engineer had filed a written report on August 14, 2007 recommending legalization of SW Hewett Boulevard. However, subsequent to the completion of the survey and the County Engineer's report, further investigation of the affected road prompted the County road officials to reassess the significance of the numerous installations in the right-of-way (amongst other factors) and hence to the realization that the legalization order as presently drafted would need to be revised.
- e. By Resolution 07-132 adopted on July 26, 2007, the Board scheduled a public hearing on September 6, 2007 to consider legalization of SW Hewett Boulevard.
- f. The County Surveyor provided notice of the hearing to interested parties by certified mail and by posting along the roadway in a manner consistent with ORS 368.401 – 368.426. .
- g. The Board has determined that ultimately legalization of the said portion of SW Hewett Boulevard is in the public interest, but the present proposal needs to be revised before it is accepted. .
- h. Accordingly the Board finds it is in the public's interest to abandon the August 14, 2007 legalization proposal and to direct the County's Land Use and Transportation Program to revise the proposal in compliance with all the requirements of ORS 368.201 to ORS 368.221 and report back to this Board in as timely a manner as possible.

The Multnomah County Board of Commissioners Orders:

1. That the August 14, 2007 proposal to legalize SW Hewett Boulevard from the South line of SW Grant Street southeasterly approximately 0.3 Mile to the East line of the Northwest one-quarter of Section 7, T1S, R1E, WM, as more particularly described in the attached Exhibit "A", and as shown on Survey No. 61433, Multnomah County Survey Records is hereby abandoned.

2. The County's Land Use and Transportation Program to revise the legalization proposal for SW Hewett Boulevard in compliance with all the requirements of ORS 368.201 to ORS 368.221 and report back to this Board in as timely a manner as possible.

ADOPTED this 6th day of September, 2007.

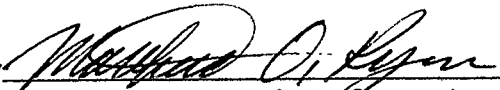
BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON




Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director, Dept. of Community Services

EXHIBIT "A"

SW HEWETT BOULEVARD No. 5025

A strip of land in the Southwest one-quarter of Section 6 and the Northwest one-quarter of Section 7, Township 1 South, Range 1 East, Willamette Meridian, Multnomah County, Oregon, said strip of land running from the South line of SW Grant Street, southeasterly along the centerline of the as-traveled SW Hewett Boulevard to its intersection with the East line of the Northwest one-quarter of said Section 7, said strip of land being 60 feet in width, 30 feet on each side of the following described centerline:

Beginning at Engineer's Station 0+00.00 PC, said station being on the centerline of said SW Grant Street and bears N29°02'48"W, a distance of 799.04 feet from a 4" brass disc in concrete post found at the South one-quarter corner of said Section 6;

Thence on a curve to the right, having a radius of 70.00 feet, through a central angle of 64°43'15" (long chord of which bears S56°57'50"E, a distance of 74.93 feet), an arc distance of 79.07 feet to Engineer's Station 0+79.07 PT;

Thence S24°36'13"E, a distance of 85.31 feet to Engineer's Station 1+64.38 PC;

Thence on a curve to the left, having a radius of 400.00 feet, through a central angle of 6°01'42" (long chord of which bears S27°37'04"E, a distance of 42.07 feet), an arc distance of 42.09 feet to Engineer's Station 2+06.47 PT;

Thence S30°37'55"E, a distance of 47.60 feet to Engineer's Station 2+54.07 PC;

Thence on a curve to the right, having a radius of 90.00 feet, through a central angle of 60°21'56" (long chord of which bears S00°26'57"E, a distance of 90.50 feet), an arc distance of 94.82 feet to Engineer's Station 3+48.89 PT;

Thence S29°44'02"W, a distance of 72.27 feet to Engineer's Station 4+21.16 PC;

Thence on a curve to the left, having a radius of 240.00 feet, through a central angle of 35°01'10" (long chord of which bears S12°13'27"W, a distance of 144.42 feet), an arc distance of 146.69 feet to Engineer's Station 5+67.85 PT;

Thence S05°17'08"E, a distance of 47.81 feet to Engineer's Station 6+15.65 PC;

Thence on a curve to the right, having a radius of 200.00 feet, through a central angle of 11°56'44" (long chord of which bears S00°41'14"W, a distance of 41.62 feet), an arc distance of 41.70 feet to Engineer's Station 6+57.35 PT;

Thence S06°39'36"W, a distance of 474.83 feet to Engineer's Station 11+32.18 PC;

Thence on a curve to the left, having a radius of 600.00 feet, through a central angle of 8°18'40" (long chord of which bears S02°30'16"W, a distance of 86.96 feet), an arc distance of 87.03 feet to Engineer's Station 12+19.21 PCC;

Thence on a curve to the left, having a radius of 110.00 feet, through a central angle of $60^{\circ}06'36''$ (long chord of which bears $S31^{\circ}42'22''E$, a distance of 110.18 feet), an arc distance of 115.41 feet to Engineer's Station 13+34.62 PT;

Thence $S61^{\circ}45'39''E$, a distance of 70.04 feet to Engineer's Station 14+04.66 PC;

Thence on a curve to the right, having a radius of 300.00 feet, through a central angle of $11^{\circ}16'32''$ (long chord of which bears $S56^{\circ}07'23''E$, a distance of 58.94 feet), an arc distance of 59.04 feet to Engineer's Station 14+63.70 PT;

Thence $S50^{\circ}29'07''E$, a distance of 83.92 feet to Engineer's Station 15+47.62 PC;

Thence on a curve to the left, having a radius of 400.00 feet, through a central angle of $4^{\circ}50'00''$ (long chord of which bears $S52^{\circ}54'07''E$, a distance of 33.73 feet), an arc distance of 33.74 feet to Engineer's Station 15+81.36 PT;

Thence $S55^{\circ}19'08''E$, a distance of 105.79 feet to Engineer's Station 16+87.15 PC;

Thence on a curve to the left, having a radius of 500.00 feet, through a central angle of $2^{\circ}57'34''$ (long chord of which bears $S56^{\circ}47'54''E$, a distance of 25.82 feet), an arc distance of 25.83 feet to Engineer's Station 17+12.98 EP, and a point on the East line of said Northwest one-quarter of Section 7, said point bears $S00^{\circ}10'23''E$, a distance of 748.03 feet from a 4" brass disc in concrete post found at the North one-quarter corner of said Section 7;

The side lines of the above described strip of land are extended or shortened to terminate on the North at the South line of SW Grant Street and on the East by the East line of the Northwest one-quarter of said Section 7.

The heretofore description is written and based on a survey by Robert A. Hovden, Multnomah County Surveyor, recorded as Survey Number 61433, Multnomah County Survey Records, and by said reference are hereby made a part thereof.



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-4 DATE 09-06-07
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 09/06/07
Agenda Item #: R-4
Est. Start Time: 9:43 AM
Date Submitted: 08/22/07

**NOTICE OF INTENT to Submit three Proposals to the State Help America
Agenda Vote Act (HAVA) Disability Subcommittee for Health and Human Services
Title: (HHS) Grant Funds.**

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

Requested Meeting Date: September 6, 2007 Amount of Time Needed: 5 minutes
Department: Community Services Division: Elections
Contact(s): John Kauffman
Phone: 503 988 3720 Ext. 24685 I/O Address: 1040 SE Morrison St.
Presenter(s): John Kauffman, Mary Shultz

General Information

1. What action are you requesting from the Board?

The Elections Division of the Department of Community Services requests Board approval to submit three grant applications to the Secretary of State, Elections Division, HAVA Disability Subcommittee.

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

On October 29, 2002, President Bush signed the HAVA of 2002 into law. Section 261 of the law provides grant funds to eligible state and local governments for making polling places accessible to individuals with disabilities. This includes the path of travel; entrances; exits; and voting areas of each polling facility. The grants are to be awarded by priority guidelines. Those approved within priority one guidelines will be funded 100%. Those approved within priority two, three, or four guidelines will be funded with a 25% match. ADA expenditures in previous fiscal years can be used for the 25% match.

Robert Pike, on contract with the Secretary of State conducted, ADA compliance audits in every Oregon county in 2004 and conducted one in our Elections Office on June 4, 2004. As a result of that audit, many improvements were made to the Elections Office, including the addition of an elevator. Another ADA compliance audit was made by Mr. Pike on July 5, 2007 which found the Multnomah County Elections Office still not ADA compliant.

The priority one application will address the most important issue raised in Mr. Pike's 2007 audit by relocating the accessible parking from SE Morrison Street to SE 11th Avenue and adding a double door entry with canopy and lighting at the existing SE 11th Avenue entry. The existing corner entry would be abandoned, replaced with a squared out storefront and the interior landing and ramps would be demolished. The current cost estimate for this project is between \$110,000 and \$180,000. There will be no local match required for this improvement.

The priority three application will address the need to move the existing 24 hour ballot drop box in the Hollywood neighborhood to another Hollywood site and add a second 24 hour ballot drop box at the new site. The current cost estimate for this project is less than \$10,000. Prior ADA work on the Elections building will provide the 25% local match.

The priority four application will provide partial funding for Voter Assistance Teams (outreach to voters who need assistance registering or voting) for the November 7, 2007 Special Election and for the May 20, 2008 Primary Election. The current cost estimate for this project is between \$25,000 and \$35,000. Prior ADA work on the Elections building will provide the 25% local match.

This action affects Program Offer 908000 – Elections.

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

If funded, two proposals, related to the 24-hour ballot drop boxes and funding for the Voter Assistance Teams, would require a Budget Modification this fiscal year. However, it would not increase expenditures since the local match requirement has already been fulfilled.

The priority one application, changes to the main entrance, will not be completed in the current fiscal year.

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

This program would bring the County into compliance with federal and state laws. It meets one of the criteria for Accountability Program Offers to: "remove barriers to services, information and participation."

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

The State HAVA Disability Subcommittee HHS Grant Team shall audit all work completed as a result of using these grant funds.

ATTACHMENT A

Grant Application/Notice of Intent

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

- **Who is the granting agency?**

Secretary of State, Elections Division, HAVA Disability Subcommittee.

- **Specify grant (matching, reporting and other) requirements and goals.**

First priority application, no local match is required.

Third and fourth priority applications each require a 25% local match. ADA expenditures in previous fiscal years may be used for the 25% local match.

There are no reporting requirements.

- **Explain grant funding detail – is this a one time only or long term commitment?**

This grant is one-time only.

- **What are the estimated filing timelines?**

September 14, 2007, is the filing deadline.

- **If a grant, what period does the grant cover?**

The grant covers activities from July 1, 2007, through September 1, 2009.

- **When the grant expires, what are funding plans?**

We plan to present a Program Offer for FY 09 to continue providing Voter Assistance Team services; however, we are still waiting to hear from the Pew Charitable Trust regarding our earlier grant application to fund the Voter Assistance Teams.

- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**

All costs will be covered through the grant proceeds.

ATTACHMENT B

Required Signatures

Elected Official
or Department/
Agency Director:



Date: 8/22/07

Budget Analyst:

Date:



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 09/06/07
Agenda Item #: R-5
Est. Start Time: 9:45 AM
Date Submitted: 08/17/07

Agenda Title: **Renewal of Metropolitan Interlibrary Exchange (MIX) Intergovernmental Agreement 0708065 with Washington County Cooperative Library Services, Library Information Network of Clackamas County, the Fort Vancouver Regional Library District, Hood River County, and the City of Camas**

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

Requested Meeting Date: September 6, 2007 Amount of Time Needed: 10 minutes
Department: Library Division: Director's Office
Contact(s): Becky Cobb
Phone: 503/988-5499 Ext. 85499 I/O Address: 317
Presenter(s): Molly Raphael, Director of Libraries and Eva Calcagno, WCCLS Manager

General Information

1. What action are you requesting from the Board?

Request approval to renew the Metropolitan Interlibrary Exchange (MIX) intergovernmental agreement with Washington County Cooperative Library Services, Library Information Network of Clackamas County and the Fort Vancouver Regional Library District and to add Hood River County and the City of Camas to the IGA.

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

The Metropolitan Interlibrary Exchange Agreement began as a trial program in 1986. The agreement allowed residents of participating counties and library district to use any library in the area free of charge. That first year, six counties participated in the "Access 86" program: Multnomah, Washington and Clackamas counties in Oregon and Clark, Klickitat and Skamania counties in Washington (Ft. Vancouver Regional Library District).

At first, none of the participating libraries was required to reimburse any of the other libraries. In 1987-88, the "Access 87" program became "Metropolitan Interlibrary eXchange" (MIX), with net lenders being reimbursed based on actual use. In July, 1993, information service (reference work) was added to the agreements with Washington and Clackamas counties, with payment based on use. Ft. Vancouver Regional Library District (FVRLD) pulled out of the agreement at that point, as they were not prepared to pay an additional amount to MCL for reference services. FVRLD subsequently rejoined the agreement in 2002, but only under the net circulation payment provision. Hood River

County and Camas Public Library are informally part of the agreement, but under a reduced payment formula due to the much lower use of services by their residents.

In recognition of the steady decrease in the number of reference questions asked from these counties – from almost 16% of all MCL's reference questions in 1993 to just below 7% in 2004 - in November 2005, the MIX agreement was amended to drop the reference payment by Clackamas and Washington counties for the remaining two years of the agreement. This action was precipitated by the possibility of Clackamas County backing out of the agreement due to a major budget crisis, while Washington County was dealing with a failed library levy.

In early 2007, the MIX library directors began discussing the terms for the renewal of the MIX Agreement. Under the past contracts, payments have been based on the net of total circulation (check outs plus renewals). This formula heavily favors Multnomah County Library due to MCL's generous renewal policy. The other systems typically allow two to five renewals. Due to recent technology advances, each library system now has the ability to track first check outs and this data has driven an interest in pursuing a more equitable funding formula that would reflect the actual workload of first circulations and limit the number of renewals included in the formula. Using the first circulation numbers alone would drastically change the net circulation payments – making MCL a net payer rather than a net payee.

After continued discussion, the Directors agreed that the best option would be to move to a non-revenue Agreement – where no one pays, but each library system continues providing services to each other's residents free of charge. This would continue this important service for area residents; it frees MCL from having to administer an agreement with a different renewal level; it recognizes that libraries are far more accessible online then they were during past agreements; and it puts the emphasis on collaboration among local governments for the good of all in the region.

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

Over the last five years, MCL has received an annual average of \$272,514 in MIX Agreement income. If the formula were changed to reflect net first circulation only, we estimate that MCL would be a net payer of approximately \$130,000/year. Moving to a non revenue Agreement will cause a loss in MCL's revenue, but it would most likely have been lost anyway if the Agreement were not renewed due to disagreement over the funding formula. In anticipation of a change in the Agreement, the Library dropped the MIX revenue to \$100,000 in the 2007-08 budget and this shortfall can be covered within our existing budget.

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.

The Library Advisory Board heard a presentation on the MIX Agreement history and the proposed funding options at their May 8, 2007 board meeting. The Advisory Board voted to support the option of a non revenue Agreement and articulated their support in a letter to the Board of County Commissioners from board chair Alice Meyer dated May 17, 2007.

Required Signature

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

Molly Raphael

Date: 08/16/07

INTERGOVERNMENTAL AGREEMENT
Contract Number 0708065

AGREEMENT REGARDING
EXCHANGE OF LIBRARY SERVICES

This is an Agreement among Clackamas County, Hood River County, Multnomah County, and Washington County (respectively referred to herein as "Clackamas, Hood River, Multnomah, and Washington," or generically as "County" or "Counties"), pursuant to authority granted in ORS Chapter 190, and the Fort Vancouver Regional Library, a Washington inter-county rural library district ("FVRL"), pursuant to authority granted in RCW Chapter 27.12, and the City of Camas, Washington ("City"), pursuant to authority granted in RCW Chapter 35A.27.010.

PURPOSE:

The purpose of this Agreement is to exchange public library services by each County, the City, and the District to the residents of the other counties in Oregon, and the residents of the counties in Washington served by FVRL, and the residents of the City.

WHEREAS, each County, the City, and FVRL desire to enter into an agreement for the exchange of library services which continues the program on the terms set forth below;

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. **EXCHANGE OF SERVICES.** Clackamas County, Hood River County, Multnomah County, Washington County, FVRL, and the City of Camas shall each offer to residents of the other Counties, to residents of FVRL, and to residents of the City of Camas, all library services provided to residents of their respective service areas upon the same terms and conditions applicable to the residents of their individual service areas, unless exceptions are agreed upon by all parties. Each County, FVRL, and the City shall not be required to extend library services to residents of the other Counties, or residents of the District, or residents of the City who have had library privileges canceled for any reason.
2. **TERM.** The term of this Agreement shall be from execution through and including June 30, 2012. It is the intent of the parties that this Agreement becomes effective on July 1, 2007.
3. **REVIEW.** Not less than twice each year, the Administrator of the Library Information Network of Clackamas County, the Director of Hood River County Library, the Director of Multnomah County Library, the Manager of the Washington County Cooperative Library Services, the Executive Director of Fort Vancouver Regional Library, and the Director of the City of Camas Library shall meet to review library use covered by this Agreement, and to consider other cooperative efforts or ventures that might further services to residents.

4. **WITHDRAWAL AND TERMINATION.** This Agreement may be terminated upon the mutual agreement of all signatories or by the remaining parties if other parties have previously withdrawn. Any party may withdraw from further participation in this Agreement for any reason upon ninety (90) days written notice to the other participating parties.
5. **INDEMNIFICATION** Subject to the limitations and conditions of the Oregon Constitution and the monetary limits of the Oregon Tort Claims Act, ORS 30.260 through 30.300 and the limitations and conditions of the Washington Constitution, RCW Chapter 4.96, RCW 4.08.120, and RCW 4.24.470, each party shall indemnify, defend and hold harmless all other parties from and against all liability, loss and costs arising out of or resulting from the acts of that party, its officers, employees and agents in the performance of this Agreement.
6. **INSURANCE.** Each County, FVRL, and the City shall be responsible for providing worker's compensation insurance as required by law. The Counties, FVRL, and the City shall not be required to provide or show proof of any other insurance coverage.
7. **ADHERENCE TO LAW.** Each County shall comply with all federal, State of Oregon and Oregon local governmental laws and ordinances applicable to this Agreement. FVRL and the City shall comply with all federal, State of Washington, and Washington local governmental laws and ordinances applicable to this Agreement.
8. **NON-DISCRIMINATION.** Each County shall comply with all requirements of federal and State of Oregon civil rights and rehabilitation statutes, and Oregon local governmental non-discrimination ordinances. FVRL and the City shall comply with all requirements of federal and State of Washington civil rights and rehabilitation statutes, and Washington local governmental non-discrimination ordinances.
9. **ACCESS TO RECORDS.** Each County, FVRL, and the City shall have access to the books, documents and other records of the other Counties, FVRL, and the City which are related to this agreement for the purpose of examination, copying and audit, unless otherwise limited by law.
10. **SUBCONTRACTS AND ASSIGNMENTS.** None of the Counties, nor FVRL, nor the City will subcontract or assign any part of this Agreement without the written consent of the other parties to this Agreement.
11. **THIS IS THE ENTIRE AGREEMENT.** This Agreement constitutes the entire Agreement among each County, FVRL, and the City. This Agreement may be modified or amended only by written agreement of the Counties, the District, and the City.
12. **GOVERNING LAW.** Except as otherwise provided in Paragraphs 5, 7 and 8 herein, the provisions of this Agreement shall be construed in accordance with the laws of the State of Oregon.

FOR CLACKAMAS COUNTY

Approved as to form:

By _____

By _____

Title _____

County Counsel,
Clackamas County

Date _____

FOR MULTNOMAH COUNTY LIBRARY

REVIEWED:

By _____

Molly Raphael
Director of Libraries

By _____

Assistant County Counsel

Date _____

FOR MULTNOMAH COUNTY

By _____

Ted Wheeler, County Chair

Date _____

FOR WASHINGTON COUNTY

Approved as to form:

By _____

By _____

Title _____

County Counsel,
Washington County

Date _____

FOR FVRL

**FORT VANCOUVER REGIONAL
LIBRARY**

By _____

Bruce Ziegman
Executive Director

Date _____

FOR HOOD RIVER COUNTY

BY _____

Title _____

Date _____

FOR CITY OF CAMAS

By _____

Title _____

Date _____

Approved as to form:

By _____

County Counsel,
Hood River County

Approved as to form:

By _____

City Counsel,
City of Camas

MULTNOMAH COUNTY CONTRACT APPROVAL FORM (CAF)

Contract #: 0708065

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

Amendment #: _____

CLASS I Based on Informal / Intermediate Procurement	CLASS II Based on Formal Procurement	CLASS III Intergovernmental Contract (IGA)
<input type="checkbox"/> Personal Services Contract	<input type="checkbox"/> Personal Services Contract	<input type="checkbox"/> Expenditure Contract
PCRB Contract <input type="checkbox"/> Goods or Services <input type="checkbox"/> Maintenance or Licensing Agreement <input type="checkbox"/> Public Works / Construction Contract <input type="checkbox"/> Architectural & Engineering Contract	PCRB Contract <input type="checkbox"/> Goods or Services <input type="checkbox"/> Maintenance or Licensing Agreement <input type="checkbox"/> Public Works / Construction Contract <input type="checkbox"/> Architectural & Engineering Contract	<input type="checkbox"/> Revenue Contract <input type="checkbox"/> Grant Contract <input checked="" type="checkbox"/> Non-Financial Agreement
<input type="checkbox"/> Revenue Contract <input type="checkbox"/> Grant Contract <input type="checkbox"/> Non-Financial Agreement	<input type="checkbox"/> Revenue Contract <input type="checkbox"/> Grant Contract <input type="checkbox"/> Non-Financial Agreement	<input type="checkbox"/> INTER-DEPARTMENTAL AGREEMENT (IDA)

Department: Library

Division/

Program: Director's Office

Date: 8/13/07

Originator: Becky Cobb

Phone: 503-988-5499

Bldg/Room: 317/ADMIN

Contact: Becky Cobb

Phone: 503-988-5499

Bldg/Room: 317/ADMIN

Description of Contract:

RENEWAL: ☐ PREVIOUS CONTRACT #(S) _____

EEO CERTIFICATION EXPIRES _____

PROCUREMENT
EXEMPTION OR
CITATION # _____

ISSUE
DATE: _____

EFFECTIVE
DATE: _____

END
DATE: _____

CONTRACTOR IS: ☐ MBE ☐ WBE ☐ ESB ☐ QRF State Cert# _____ or ☐ Self Cert ☐ Non-Profit ☐ N/A (Check all boxes that apply)

Contractor	See attached		Remittance address (if different)	
Address				
City/State			Payment Schedule / Terms:	
ZIP Code			<input type="checkbox"/> Lump Sum \$ _____	<input type="checkbox"/> Due on Receipt
Phone			<input type="checkbox"/> Monthly \$ _____	<input type="checkbox"/> Net 30
Employer ID# or SS#			<input type="checkbox"/> Other \$ _____	<input type="checkbox"/> Other
Contract Effective Date	<u>7/1/07</u>	Term Date	<u>6/30/12</u>	<input type="checkbox"/> Price Agreement (PA) or Requirements Funding Info:
Amendment Effect Date		New Term Date		
Original Contract Amount	\$ 0.00		Original PA/Requirements Amount	\$ _____
Total Amt of Previous Amendments	\$ _____		Total Amt of Previous Amendments	\$ _____
Amount of Amendment	\$ _____		Amount of Amendment	\$ _____
Total Amount of Agreement	\$ 0.00		Total PA/Requirements Amount	\$ _____

REQUIRED SIGNATURES:

Department Manager

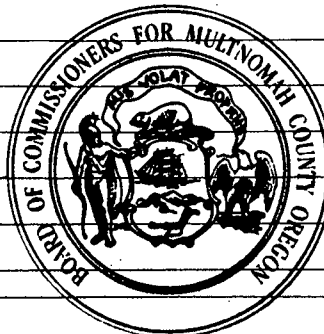
County Attorney

CPCA Manager

County Chair

Sheriff

Contract Administration



DATE 9/6/07

DATE 9/6/07

DATE _____

DATE 9/6/07

DATE _____

DATE _____

COMMENTS:

INTERGOVERNMENTAL AGREEMENT

Contract Number 0708065

AGREEMENT REGARDING EXCHANGE OF LIBRARY SERVICES

This is an Agreement among Clackamas County, Hood River County, Multnomah County, and Washington County (respectively referred to herein as "Clackamas, Hood River, Multnomah, and Washington," or generically as "County" or "Counties"), pursuant to authority granted in ORS Chapter 190, and the Fort Vancouver Regional Library, a Washington inter-county rural library district ("FVRL"), pursuant to authority granted in RCW Chapter 27.12, and the City of Camas, Washington ("City"), pursuant to authority granted in RCW Chapter 35A.27.010.

PURPOSE:

The purpose of this Agreement is to exchange public library services by each County, the City, and the District to the residents of the other counties in Oregon, and the residents of the counties in Washington served by FVRL, and the residents of the City.

WHEREAS, each County, the City, and FVRL desire to enter into an agreement for the exchange of library services which continues the program on the terms set forth below;

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. **EXCHANGE OF SERVICES.** Clackamas County, Hood River County, Multnomah County, Washington County, FVRL, and the City of Camas shall each offer to residents of the other Counties, to residents of FVRL, and to residents of the City of Camas, all library services provided to residents of their respective service areas upon the same terms and conditions applicable to the residents of their individual service areas, unless exceptions are agreed upon by all parties. Each County, FVRL, and the City shall not be required to extend library services to residents of the other Counties, or residents of the District, or residents of the City who have had library privileges canceled for any reason.
2. **TERM.** The term of this Agreement shall be from execution through and including June 30, 2012. It is the intent of the parties that this Agreement becomes effective on July 1, 2007.
3. **REVIEW.** Not less than twice each year, the Administrator of the Library Information Network of Clackamas County, the Director of Hood River County Library, the Director of Multnomah County Library, the Manager of the Washington County Cooperative Library Services, the Executive Director of Fort Vancouver Regional Library, and the Director of the City of Camas Library shall meet to review library use covered by this Agreement, and to consider other cooperative efforts or ventures that might further services to residents.

4. **WITHDRAWAL AND TERMINATION.** This Agreement may be terminated upon the mutual agreement of all signatories or by the remaining parties if other parties have previously withdrawn. Any party may withdraw from further participation in this Agreement for any reason upon ninety (90) days written notice to the other participating parties.
5. **INDEMNIFICATION** Subject to the limitations and conditions of the Oregon Constitution and the monetary limits of the Oregon Tort Claims Act, ORS 30.260 through 30.300 and the limitations and conditions of the Washington Constitution, RCW Chapter 4.96, RCW 4.08.120, and RCW 4.24.470, each party shall indemnify, defend and hold harmless all other parties from and against all liability, loss and costs arising out of or resulting from the acts of that party, its officers, employees and agents in the performance of this Agreement.
6. **INSURANCE.** Each County, FVRL, and the City shall be responsible for providing worker's compensation insurance as required by law. The Counties, FVRL, and the City shall not be required to provide or show proof of any other insurance coverage.
7. **ADHERENCE TO LAW.** Each County shall comply with all federal, State of Oregon and Oregon local governmental laws and ordinances applicable to this Agreement. FVRL and the City shall comply with all federal, State of Washington, and Washington local governmental laws and ordinances applicable to this Agreement.
8. **NON-DISCRIMINATION.** Each County shall comply with all requirements of federal and State of Oregon civil rights and rehabilitation statutes, and Oregon local governmental non-discrimination ordinances. FVRL and the City shall comply with all requirements of federal and State of Washington civil rights and rehabilitation statutes, and Washington local governmental non-discrimination ordinances.
9. **ACCESS TO RECORDS.** Each County, FVRL, and the City shall have access to the books, documents and other records of the other Counties, FVRL, and the City which are related to this agreement for the purpose of examination, copying and audit, unless otherwise limited by law.
10. **SUBCONTRACTS AND ASSIGNMENTS.** None of the Counties, nor FVRL, nor the City will subcontract or assign any part of this Agreement without the written consent of the other parties to this Agreement.
11. **THIS IS THE ENTIRE AGREEMENT.** This Agreement constitutes the entire Agreement among each County, FVRL, and the City. This Agreement may be modified or amended only by written agreement of the Counties, the District, and the City.
12. **GOVERNING LAW.** Except as otherwise provided in Paragraphs 5, 7 and 8 herein, the provisions of this Agreement shall be construed in accordance with the laws of the State of Oregon.

FOR CLACKAMAS COUNTY

Approved as to form:

By _____

By _____

Title _____

County Counsel,
Clackamas County

Date _____

FOR MULTNOMAH COUNTY LIBRARY REVIEWED:

By Molly Raphael
Molly Raphael
Director of Libraries

By [Signature]
Assistant County Counsel

Date 9/6/07

FOR MULTNOMAH COUNTY

By Ted Wheeler
Ted Wheeler, County Chair

Date 9/6/07



FOR WASHINGTON COUNTY

Approved as to form:

By _____

By _____

Title _____

County Counsel,
Washington County

Date _____

FOR FVRL

**FORT VANCOUVER REGIONAL
LIBRARY**

By _____
Bruce Ziegman
Executive Director

Date _____

FOR HOOD RIVER COUNTY

Approved as to form:

BY _____

By _____

Title _____

County Counsel,
Hood River County

Date _____

FOR CITY OF CAMAS

Approved as to form:

By _____

By _____

Title _____

City Counsel,
City of Camas

Date _____



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-6 DATE 09-06-07
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 09/06/07
Agenda Item #: R-6
Est. Start Time: 9:53 AM
Date Submitted: 08/23/07

BUDGET MODIFICATION: LIB - 02

Agenda Title: **Budget Modification LIB-02 Appropriating \$1,148,295 of Revenues from the Library Foundation to the Library Fund for Program and Collection Enhancements**

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

Requested Meeting Date: September 6, 2007 Amount of Time Needed: 5 minutes
Department: Library Division: Director's Office
Contact(s): Becky Cobb
Phone: 503-988-5499 Ext. 85499 I/O Address: 317/LIB ADM
Presenter(s): Molly Raphael, Director of Libraries

General Information

1. What action are you requesting from the Board?

Request approval of an appropriation of \$1,148,295 to the Library Fund from The Library Foundation for program and collection enhancements for FY 07-08.

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

The Library Foundation provides support raised from private donors, foundations, and corporations to enhance the programs and collections of Multnomah County Library. An annual appropriation is requested each fiscal year.

For FY 2007-08, The Library Foundation is supporting:

Raising A Reader - \$546,278

This early literacy program promotes reading aloud in the home. It is implemented through library

partnerships with childcare centers, Head Start, the Health Department, and other agencies serving children 0-5. Children take home new books weekly and their parents, teachers, and caregivers receive information on early literacy skill development. Volunteer story time readers model good read aloud techniques and build excitement for books by providing monthly story times at partnering childcare centers. Funds 2.5 librarians.

Summer Reading - \$150,000

The Foundation's support enables Multnomah County Library to present a strong and popular Summer Reading program – almost 57,000 babies, children and teens participated during the summer of 2006.

Books 2 U - \$141,000

This program impacts the reading habits of students in grades three through six in elementary and middle schools where 25% or more of the students are reading below grade level. Funds 1.5 library outreach specialists.

Every Family Reads - \$118,500

Every Family Reads encourages families with children in grades K-5 to read together by uniting them around the books of a children's author. The 2007 program featured Newbery medal winner Avi. Funds .50 program coordinator.

Everybody Reads - \$57,500

Everybody Reads 2008 will be the 6th annual community book reading project that brings people together to read and talk about a selected book title, with programs and events such as book discussions, lectures, film screenings, and community forums.

Program Enhancements - \$48,790

Money from restricted and endowment funds will be used to enhance programs such as the Writers Resource Fair, Talk Time (conversation for English language learners), music programs, Dia de los Ninos and Lunar New Year celebrations, and programs for teens.

John Wilson Room Rare Collections - \$30,000

This gift adds a half-time library assistant to provide reference assistance to the public for the John Wilson Room Special Collections, as well as assistance in preparing and implementing programs and tours focusing on special aspects of the collection.

Director's Discretionary Fund - \$20,000

Gives the Library Director a discretionary fund for unforeseen needs and opportunities.

Author/Illustrator Lectures - \$15,000

Supports three children's/young adult author/illustrator lectures and related programs.

Tapestry of Tales - \$10,000

MCL's annual storytelling festival highlights the important role oral stories play in building and sustaining lifelong readers. The festival includes special storytelling events for children, adults and families, along with outreach to selected schools.

New Parent Gift Packages - \$6,750

First-time parents of babies born in Multnomah County receive a New Parent Gift in the mail when a baby is two months old. The gift includes baby's first library card and materials such as a baby board book, three coupons that parents present at the Library to get free children's books, and early

literacy information.

Ginnie Cooper Staff Development Fund - \$4,477

This fund is used to reimburse staff pursuing a graduate degree in library science.

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

For the current year, the Library fund increases by \$1,148,295. Although The Library Foundation conducts ongoing fund-raising activities, most gifts are committed on an annual basis.

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

Not applicable.

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

The Library Foundation solicits private citizen support for Library programs and collections that benefit all residents of Multnomah County.

ATTACHMENT A

Budget Modification

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

- **What revenue is being changed and why?**

The Library Fund increases by \$1,148,295.

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

Director's Office: Director's Office increases by \$20,000; Adult & Family Programming increases by \$106,290.

Central Library: John Wilson Room increases by \$36,300.

Support Services: Finance Mgmt./Admin. Support decreases by \$6,300; Human Resources/Learning Systems increases by \$4,477.

Outreach Services: Children & Teen Services Coordination increases by \$293,500; Books 2 U increases by \$141,000; Early Childhood Resources increases by \$553,028.

- **What do the changes accomplish?**

Gifts from The Library Foundation enhance library programs, particularly in Youth Outreach Services. This allows for expanded outreach to those who might not otherwise be served by these programs.

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

This budget modification adds a total of 5.0 FTE for 7 positions:

One 0.5 FTE Library Assistant at Central's John Wilson Room in support of its special collections;

One 0.5 FTE Program Coordinator in Children & Teen Services Coordination for the Every Family Reads program;

One 1.0 FTE and one 0.5 FTE Library Outreach Specialists in Books 2 U for elementary school outreach;

Two 1.0 FTE and one 0.5 FTE Librarians in Early Childhood Resources for the Raising A Reader program.

Support is provided on a year-to-year basis for these positions.

- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**

Indirect is covered by the Foundation funds.

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

The Library Foundation has an ongoing fund-raising commitment to enhance library programs and collections.

- **If a grant, what period does the grant cover?**

Not applicable.

- **If a grant, when the grant expires, what are funding plans?**

Not applicable.

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

ATTACHMENT B

BUDGET MODIFICATION: LIB - 02

Required Signatures

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



Date: 08/22/07

Molly Raphael

Budget Analyst:



Date: 08/22/07

Mike Jaspin

Department HR:



Date: 08/22/07

Leila Wrathall

Budget Modification ID: **08-LIB-BM-02****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 2008

Line No.	Fund Center	Fund Code	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
				Internal Order	Cost Center	WBS Element						
1	80-00	1510	70		800000		60170	85,000	104,552	19,552		Professional Services
2	80-00	1510	70		800000		60350	14,085	14,533	448	20,000	Central Indirect @ 2.29%
3									0			
4	80-00	1510	70		801100		60170	131,000	186,910	55,910		Professional Services
5	80-00	1510	70		801100		60180	26,000	31,000	5,000		Printing
6	80-00	1510	70		801100		60210	7,800	8,800	1,000		Rental
7	80-00	1510	70		801100		60240	28,000	70,000	42,000		Supplies
8	80-00	1510	70		801100		60350	11,988	14,368	2,380	106,290	Central Indirect @ 2.29%
9									0			
10	80-20	1510	70		802390		60000	59,257	81,307	22,050		Permanent
11	80-20	1510	70		802390		60130	19,048	26,124	7,076		Salary Related
12	80-20	1510	70		802390		60140	13,270	19,631	6,361		Insurance
13	80-20	1510	70		802390		60350	2,351	3,164	813	36,300	Central Indirect @ 2.29%
14									0			
15	80-30	1510	70		803410		60240	150,000	143,841	(6,159)		Supplies
16	80-30	1510	70		803410		60350	22,976	22,835	(141)	(6,300)	Central Indirect @ 2.29%
17									0			
18	80-30	1510	70		803710		60260	62,260	66,637	4,377		Travel & Training
19	80-30	1510	70		803710		60350	17,056	17,156	100	4,477	Salary Related
20									0			
21	80-40	1510	70		804110		60000	223,816	252,610	28,794		Permanent
22	80-40	1510	70		804110		60130	71,822	80,195	8,373		Salary Related
23	80-40	1510	70		804110		60140	42,326	49,058	6,732		Insurance
24	80-40	1510	70		804110		60170	1,700	40,730	39,030		Professional Services
25	80-40	1510	70		804110		60180	3,000	40,500	37,500		Printing
26	80-40	1510	70		804110		60240	24,100	190,600	166,500		Supplies
27	80-40	1510	70		804110		60350	8,643	15,214	6,571	293,500	Central Indirect @ 2.29%
28									0			
29									0			
										454,267	454,267	Total - Page 1
										0	0	GRAND TOTAL

Budget Modification ID: **08-LIB-BM-02****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 2008

Line No.	Fund Center	Fund Code	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
				Internal Order	Cost Center	WBS Element						
30	80-40	1510	70		804150		60000	161,104	236,130	75,026		Permanent
31	80-40	1510	70		804150		60130	50,371	72,997	22,626		Salary Related
32	80-40	1510	70		804150		60140	38,876	58,156	19,280		Insurance
33	80-40	1510	70		804150		60240	82,000	102,911	20,911		Supplies
34	80-40	1510	70		804150		60350	7,966	11,123	3,157	141,000	Central Indirect @ 2.29%
35									0			
36	80-40	1510	70		804170		60000	281,944	424,539	142,595		Permanent
37	80-40	1510	70		804170		60120	0	963	963		Premium
38	80-40	1510	70		804170		60130	90,476	135,791	45,315		Salary Related
39	80-40	1510	70		804170		60140	70,534	103,588	33,054		Insurance
40	80-40	1510	70		804170		60170	48,400	80,171	31,771		Professional Services
41	80-40	1510	70		804170		60180	19,500	20,500	1,000		Printing
42	80-40	1510	70		804170		60230	2,500	3,000	500		Postages
43	80-40	1510	70		804170		60240	89,500	374,199	284,699		Supplies
44	80-40	1510	70		804170		60270	3,500	4,250	750		Local Travel & Mileages
45	80-40	1510	70		804170		60350	14,080	26,461	12,381	553,028	Central Indirect @ 2.29%
46									0			
47	80-00	1510	70		800000		50210	(604,000)	(1,752,295)	(1,148,295)	(1,148,295)	OP-Non Governmental Prog.
48									0			
49	19	1000	20		9500001000		50310		(25,709)	(25,709)		Indirect Reimb Rev. in GF
50	19	1000	20		9500001000		60470		25,709	25,709	0	CGF Contingency Exp.
51									0			
52	72-10	3500	20		705210		50316		(65,427)	(65,427)		Insurance Revenue
53	72-10	3500	20		705210		60330		65,427	65,427	0	Offsetting Expenditure
54									0			
55									0			
56									0			
57									0			
58									0			
										(454,267)	(454,267)	Total - Page 2
										0	0	GRAND TOTAL

ANNUALIZED PERSONNEL CHANGE

Change on a full year basis even though this action affects only a part of the fiscal year (FY).

						ANNUALIZED			
Fund	Job #	HR Org	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
1510	7211	64526	Library Assistant	713011	0.50	22,050	7,076	6,361	35,487
1510	6022	61724	Program Coordinator	712699	0.50	28,794	8,373	6,732	43,899
1510	7223	61728	Library Outreach Specialist	709658	1.00	48,170	14,008	12,654	74,832
1510	7223	61728	Library Outreach Specialist	712955	0.50	26,856	8,618	6,626	42,100
1510	7222	61730	Librarian	709818	1.00	59,257	19,016	13,264	91,537
1510	7222	61730	Librarian	712806	1.00	59,257	19,016	13,264	91,537
1510	7222	61730	Librarian Bilingual-Vacant	new	0.50	24,081	7,283	6,526	37,890
									0
									0
									0
									0
									0
									0
									0
									0
			TOTAL ANNUALIZED CHANGES		5.00	268,465	83,390	65,427	417,282

CURRENT YEAR PERSONNEL DOLLAR CHANGE

Calculate costs/savings that will take place in this FY; these should explain the actual dollar amounts being changed by this Bud Mod.

[illegible]



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-7 DATE 9-06-07
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 09/06/07
Agenda Item #: R-7
Est. Start Time: 9:55 AM
Date Submitted: 08/21/07

BUDGET MODIFICATION: HD- 04

Agenda Title: Budget Modification HD-04 Appropriating \$25,853 from CareOregon's Care Support and System Innovation Program for Outreach Nursing Services for Homeless Persons

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

Requested Meeting: September 06, 2007 Amount of Time Needed: 5 minutes
Department: Health Dept. Division: Integrated Clinical Services
Contact(s): Lester A. Walker, Finance and Budget Manager
Phone: 503-988-3674 Ext. 26457 I/O Address: 167/2/210
Presenter(s): Kim H. Tierney, Westside Health Clinic Manager

General Information

1. What action are you requesting from the Board?

Approval of appropriation of \$25,853 in FY08 funding from CareOregon's Care Support and System Innovation Program to support a Community Health Nursing position for outreach nursing services for homeless persons. This will increase the Health Department total FTE by .30 FTE for FY 2008.

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

In September 2003, the Multnomah County Health Department, in partnership with Central City Concern, received a grant from the Health Resources and Services Administration to deliver health care to approximately 100 chronically homeless residents with dually diagnosed conditions. This three year grant was part of a funding package from multiple federal agencies to provide supportive housing, health care and services to chronically homeless adults using an Assertive Community Treatment (ACT) Team model. This team included a Community Health Nurse to provide outreach nursing services to address the health care needs of the target population. The Community Health

Nurse has improved the health of homeless persons and has saved CareOregon thousands of dollars as a result of intensive in-home nursing services. Outreach nursing services are not eligible for cost reimbursement through Medicaid. CareOregon's Care Support and System Innovation Program is supporting the Community Health Nurse position in order to continue to make these important services available.

This action supports Program Offer **40021A** – Westside Health Clinic. This is the anchor healthcare and mental health program for Multnomah County's homeless. The Westside Health Center and its outreach programs are the primary hub, providing comprehensive medical, behavioral, and addictions healthcare, access to medications, social services and nutrition counseling. Program Offer 40021A is linked to the Outreach Program: two Satellite Clinics, a Mobile Medical Van for Homeless, as well as a Respite Program for uninsured homeless leaving hospitals too sick to enter shelters.

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

Approval of this budget modification will increase the Health Department's FY08 Federal/State budget by \$25,853. The funds will cover .30 FTE of a .50 FTE Community Health Nurse in FY08.

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

N/A

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

This project is coordinated with Central City Concern and will engage CareOregon as a funding partner.

ATTACHMENT A

Budget Modification

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

- **What revenue is being changed and why?**

The Health Department's FY08 federal/state revenue will increase by \$25,853 as a result of the work performed under this contract.

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

The Health Department's Integrated Clinical Services (Westside Clinic) FY08 federal/state budget will increase by a total of \$25,853.

- **What do the changes accomplish?**

The changes partially fund (.30 FTE) the Community Health Nurse position for continuation of outreach nursing services for our homeless population.

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

This position is included in the adopted budget at .20 FTE in the general fund. This budget modification adds an additional .30 FTE to the existing budgeted position in order to meet CareOregon's requirement that the position is maintained at .50 FTE. Premium pay, funded by general fund and fee income is also reduced to fund the position at .50 FTE.

- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**

The grant revenue covers these costs.

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

The revenue is one-time-only in nature. However, the CareOregon Support and System Innovation Program is a multi-year grant program that has supported change initiatives in the Health Department since 2005. The function is ongoing and we anticipate ongoing funding from CareOregon.

- **If a grant, what period does the grant cover?**

The grant covers 7/1/2007-6/30/2008.

- **If a grant, when the grant expires, what are funding plans?**

We will request continuation funding through CareOregon.

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

ATTACHMENT B

BUDGET MODIFICATION: HD - 04

Required Signatures

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

Lillian Shirley

Date: 08-15-07

Budget Analyst:

Angela Burdine

Date: 08/23/07

Department HR:

Patricia Heller

Date: 08/13/07

Budget Modification ID: **HD-08-04****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 2008

Line No.	Fund Center	Fund Code	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
				Internal Order	Cost Center	WBS Element						
1	40-75	32250	30			4CA100-1	50210	-	(25,853)	(25,853)		CareOregon
2	40-75	32250	30			4CA100-1	60000	-	15,427	15,427		Glea Livingston, CHN
3	40-75	32250	30			4CA100-1	60130	-	4,951	4,951		Benefits
4	40-75	32250	30			4CA100-1	60140	-	3,421	3,421		Insurance
5	40-75	32250	30			4CA100-1	60350	-	545	545		Central Indirect
6	40-75	32250	30			4CA100-1	60355	-	1,509	1,509		Departmental Indirect
7												
8	72-10	3500	0020		705210		50316	-	(4,370)	(4,370)		Insurance Revenue
9	72-10	3500	0020		705210		60330	-	4,370	4,370		Offsetting expenditure
10									-			
11	19	1000	0020		9500001000		50310	-	(545)	(545)		indirect reimbursement revenue in General Fund
12	19	1000	0020		9500001000		60470	-	545	545		CGF Contingency expenditure
13									-			
14	40-90	1000			409050		50370	-	(1,509)	(1,509)		indirect Dept reimbursement revenue in General Fund
15	40-90	1000			409001		60000	-	1,509	1,509		Offsetting Dept expenditure in General Fund
16									-			
17	40-75	1000	30			47750-GF	60000	-	4,280	4,280		Premium reductions to cover Glea
18	40-75	1000	30			47750-GF	60130	-	1,373	1,373		Premium reductions to cover Glea
19	40-75	1000	30			47750-GF	60140	-	949	949		Premium reductions to cover Glea
20	40-75	26030	30			47790-00-26030	60120	23,299	19,019	(4,280)		Premium reductions to cover Glea
21	40-75	1000	30			47790-GF	60130	-	(1,373)	(1,373)		Premium reductions to cover Glea
22	40-75	1000	30			47790-GF	60140	-	(949)	(949)		Premium reductions to cover Glea
23	40-75	1000	30			47790-GF	60100	4,575	295	(4,280)		Premium reductions to cover Glea
24	40-75	26030	30			47790-00-26030	60100	660	4,940	4,280		Premium reductions to cover Glea
26												
27												
28												
										0	0	Total - Page 1
										0	0	GRAND TOTAL

ANNUALIZED PERSONNEL CHANGEChange on a full year basis even though this action affects only a part of the fiscal year (FY).

32.09%

\$5,149

29.08%

\$10,005

Fringe

6.50%

Insurance1

Insurance2

ANNUALIZED

Fund	Job #	HR Org	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
1505	6315	61532	Community Health Nurse	711783	0.30	19,707	6,324	4,370	30,401
									0
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			TOTAL ANNUALIZED CHANGES		0.30	19,707	6,324	4,370	30,401

CURRENT YEAR PERSONNEL DOLLAR CHANGECalculate costs/savings that will take place in this FY; these should explain the actual dollar amounts being changed by this Bud Mod.**CURRENT YEAR**

Fund	Job #	HR Org	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
1505	6315	61532	Community Health Nurse	711783	0.30	19,707	6,324	4,370	30,401
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			TOTAL CURRENT FY CHANGES		0.30	19,707	6,324	4,370	30,401



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 09/06/07
Agenda Item #: R-8
Est. Start Time: 10:00 AM
Date Submitted: 08/07/07

Agenda Title: First Reading and Possible Adoption of a Proposed ORDINANCE Amending Multnomah County Code Chapter 21.406, Ambulance Staffing, and Declaring an Emergency

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

Requested Meeting Date: September 6, 2007 Amount of Time Needed: 10 minutes
Department: Health Division: Health Officer
Contact(s): William Collins
Phone: 503-988-3220 Ext. 22216 I/O Address: 160/7
Presenter(s): William Collins, Gary Oxman

General Information

1. What action are you requesting from the Board?

Approve first reading of ordinance amending MCC §21.406, Ambulance Staffing, and Declaring an Emergency.

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

The EMS Medical Director needs the flexibility to temporarily alter staffing necessary to meet public health needs during extraordinary circumstances. These circumstances could include emergencies putting unusual demands on the system, inclement weather, labor disputes, and other factors that could limit the availability of paramedic staffing.

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

None.

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

Multnomah County Health Department is responsible for regulating emergency ambulance services under ORS 682.

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

None.

Required Signature

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

Jillian Shuley / w2

Date: 08-07-07

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

Amending MCC §21.406, Ambulance Staffing, and Declaring an Emergency

(Language ~~stricken~~ is deleted; double underlined language is new.)

Multnomah County Ordains as follows:

Section 1. MCC 21.406 is amended as follows:

§ 21.406 Ambulance Staffing.

(A) ALS ambulances responding to emergency calls shall be staffed with two EMT-Paramedics.

(B) ALS ambulances transferring patients from hospitals to other facilities may be staffed at the minimum with one EMT-Paramedic and one EMT-Basic.

(C) The EMSMD shall specify staffing requirements for critical care ambulances if such a license is required under this subchapter.

(D) All other ambulances will be staffed with EMT-Basic or EMT-Intermediates whose orders and level of service will be specified by the EMSMD and which will allow for the medically appropriate transportation of patients with the most cost effective staffing.

(E) Notwithstanding subsections (A)-(D), the EMS Medical Director may temporarily alter staffing requirements as necessary to meet public health needs during extraordinary circumstances that would result in a shortage of ambulances. The duration of the staffing alteration shall be limited to the period of the circumstances that resulted in the need for the staffing alteration. Should extraordinary circumstances persist more than 15 days, the EMS Medical Director shall notify the Board of the continued alteration of staffing, the reasons for continuing the staffing change, and the estimated date of returning to regular staffing. The EMSMD will repeat this notification every 30 days until extraordinary circumstances are resolved.

In the event that extraordinary circumstances are related to a labor dispute involving a contracted ambulance provider, the EMSMD will respond to any alteration in staffing as dictated by the terms of the contract with the ambulance provider, and shall make no change in staffing requirements that would impact the ability of any party in that labor dispute to engage in the free exercise of economic or other tools of negotiation.

Penalty, see § 21.999

Section 2. This ordinance, being necessary for the health, safety, and general welfare of the people of Multnomah County, an emergency is declared and the ordinance takes effect upon its signature by the County Chair.

FIRST READING AND ADOPTION: September 6, 2007

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By Jacqueline A. Weber, Assistant County Attorney

SUBMITTED BY:
Ted Wheeler, Multnomah County Chair

BOGSTAD Deborah L

From: BOGSTAD Deborah L
Sent: Tuesday, September 04, 2007 10:11 AM
To: OXMAN Gary L; WILLER Barbara; Jeff COGEN; Lisa Naito; Lonnie Roberts; Maria ROJO DE STEFFEY; Ted WHEELER
Cc: SHIRLEY Lillian M; JOHNSON KaRin R; COLLINS William E; jjui@verizon.net; WEBER Jacquie A; SOWLE Agnes; David MARTINEZ; Kristen WEST; Marissa MADRIGAL; Matt LIEUALLEN; Tara BOWEN-BIGGS
Subject: RE: September 6th BCC Agenda Item R-8

Chair Wheeler will request the Board to move and approve a motion to postpone indefinitely R-8 this Thursday for the reasons stated below. Thank you.

Deb Bogstad, Board Clerk
Multnomah County Commissioners
501 SE Hawthorne Boulevard, Suite 600
Portland, Oregon 97214-3587
(503) 988-3277 phone
(503) 988-3013 fax
deborah.l.bogstad@co.multnomah.or.us
<http://www.co.multnomah.or.us/cc/index.shtml>

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

From: OXMAN Gary L
Sent: Thursday, August 30, 2007 12:46 PM
To: WILLER Barbara
Cc: BOGSTAD Deborah L; SHIRLEY Lillian M; JOHNSON KaRin R; COLLINS William E; jjui@verizon.net
Subject: September 6th BCC Agenda Item R-8
Importance: High

Hi, Barbara

The following relates to the impact of ongoing negotiations between AMR and the National EMS Association re: Agenda Item R-8.

Thanks in advance for your help.

- Gary

Requested Action

Please remove item R-8 from the Board of County Commissioners Agenda for September 6.

Background/Rationale

The vote on the tentative agreement between the National EMS Association (NEMSA) and American Medical Response (AMR) has been postponed indefinitely. The Health Department informed Commissioner Cogen's Office of the situation. Consistent with their past position, they have requested that item R-8 be rescheduled until either a) a new collective bargaining agreement has been adopted, or b) it is clear that an ambulance strike will take place.

In talking with the National EMS Association (NEMSA), the Health Department has learned that there are apparently a significant number of NEMSA members who have unresolved questions about the tentative agreement. In response, the union has chosen to conduct a thorough

educational interchange with members. It is unclear how long this approach will take, thus the vote has been put off indefinitely.

Also in talking with NEMSA, there are no current plans for a strike or other work actions which would affect Multnomah County EMS.

Gary Oxman, MD, MPH
Multnomah County Health Officer
426 SW Stark Street, 8th Floor
Portland, OR 97204
Tel: (503) 988-3663 X22640
Mobile: (503) 572-2243
Gary.L.Oxman@Co.Multnomah.OR.US



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 09/06/07
Agenda Item #: R-9
Est. Start Time: 10:10 AM
Date Submitted: 08/21/07

Agenda Title: Briefing on Emerging Issues in Tobacco Control

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

Requested Meeting Date: Sept. 6, 2007 Amount of Time Needed: 30 minutes
Department: Health Division: CHP3, Chronic Disease Prevention
Contact(s): Kylie Meiner
Phone: 503-988-3674 Ext. 29356 I/O Address: 160/9
Presenter(s): Kylie Meiner, Sonia Manhas, Gary Oxman

General Information

1. What action are you requesting from the Board?

No action is requested. The Health Department would like to brief the Board on emerging issues in tobacco prevention and control, including implementation of the Smokefree Worksite Law.

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

Oregon recently passed a new state law requiring nearly 100% of indoor workplaces to go smokefree in 2009. The Health Department would like to update the Board about the new Smokefree Workplace Law as well as highlight key Department initiatives to create smokefree environments.

The briefing will include 1) an overview of the Health Department's tobacco prevention goals and activities, 2) review of patterns of requests from the community to address underage smoking and for additional protections from secondhand smoke, and 3) an overview of the new Smokefree Worksite law and the Health Department's role in enforcement.

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

Briefing only, no action requested.

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

Briefing will include discussion of the Smokefree Worksite Law (MCC § 21.500 et seq). No amendments proposed at this time.

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

1. The Program convenes a Tri-County Tobacco Prevention Coalition comprised of community members and community-based organizations who inform the prioritization of our tobacco prevention activities.

2. In partnership with the American Lung Association and Clark County Health Department, the program convenes an Advisory Board for the Smokefree Apartments Project to address smoking in doorways and secondhand smoke in apartment buildings.

Required Signature

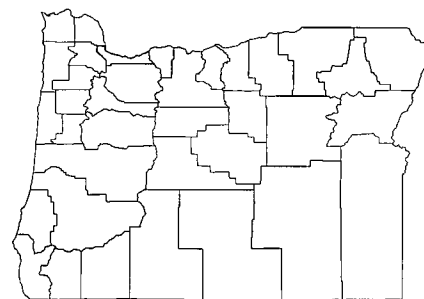
**Elected Official or
Department/
Agency Director:**

Lillian Shirley

Date: 08/21/07

Oregon Tobacco Prevention and Education Program

Multnomah County Fact Sheet - 2007



General information Approximately 155,000 youth and 545,000 adults live in Multnomah County.

The annual cost of tobacco in Multnomah County

1,213 people die from tobacco use (on average).

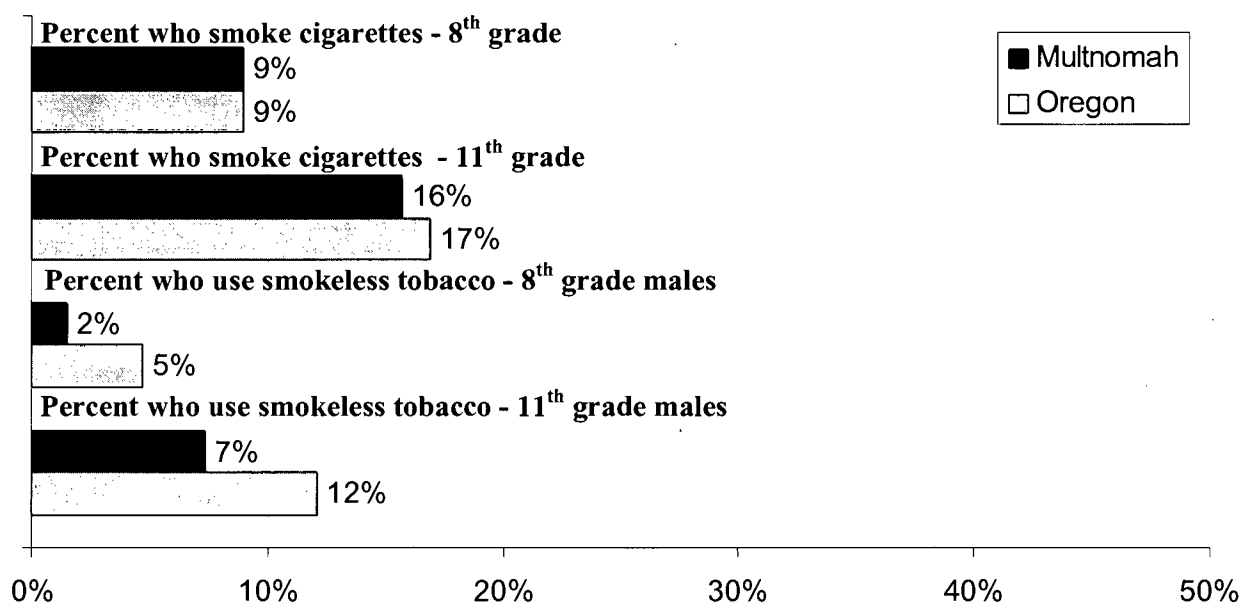
23,708 people suffer serious illness caused by tobacco use.

118,150 adults regularly smoke cigarettes.

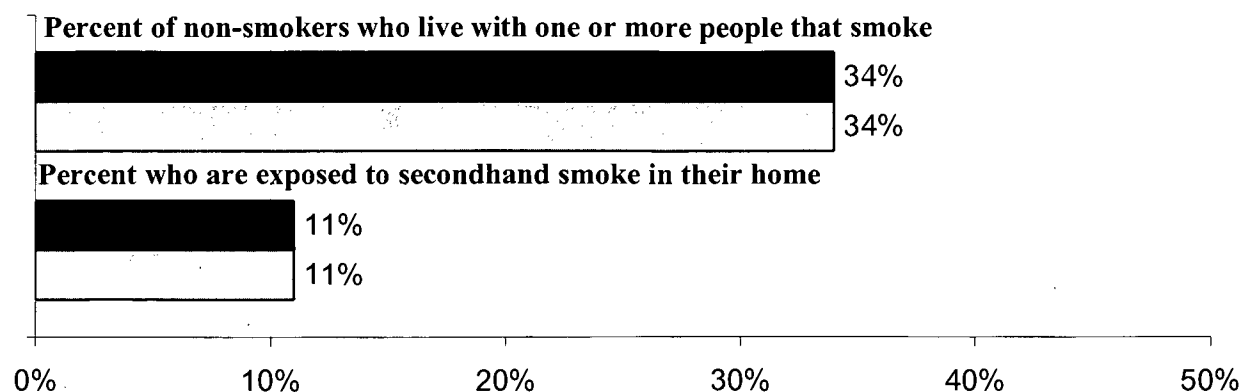
Over \$189.9 million is spent on medical care for tobacco-related illnesses.

Over \$191.6 million in productivity is lost due to tobacco-related deaths.

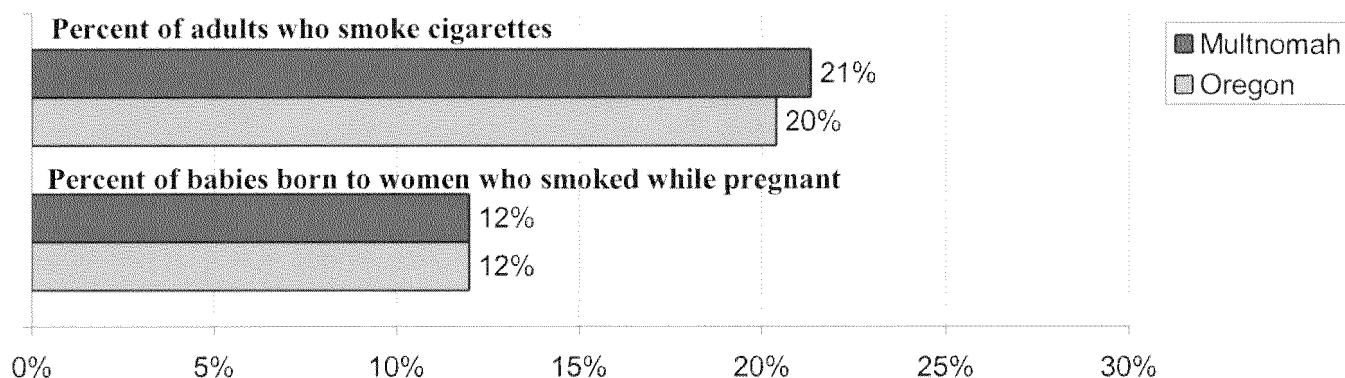
Tobacco use among Multnomah County youth



Tobacco exposure among Multnomah County 8th graders



Smoking among Multnomah County adults and pregnant mothers

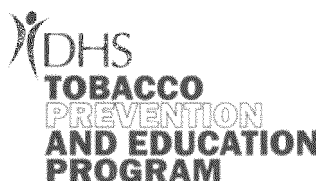
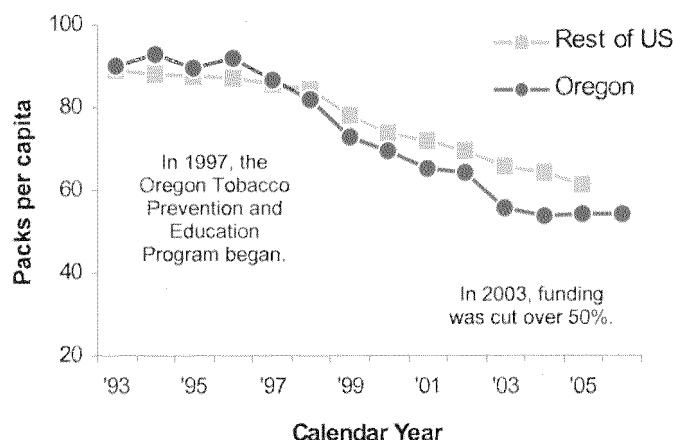


Attitudes about and exposure to secondhand smoke in Multnomah County

- 90%** of all Multnomah County adults – smokers and non-smokers alike – say that people should be protected from secondhand smoke.
- 7,100** employees (estimated) working in Multnomah County are not protected by Oregon's Smokefree Workplace Law.

Cigarette consumption in Oregon

**Annual Per Capita Cigarette Consumption,
Oregon vs. Rest of US, 1993 to 2006**

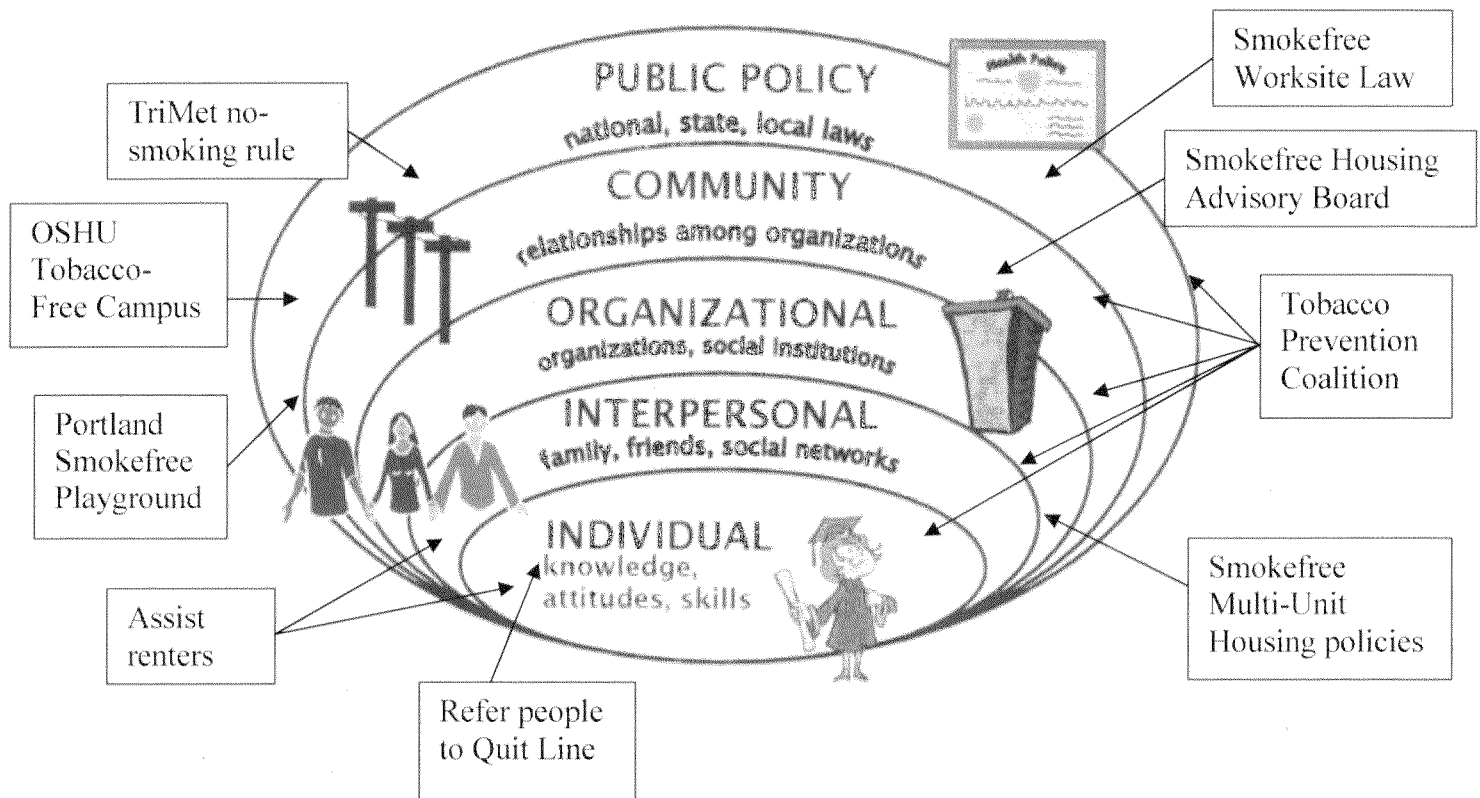


Oregon Public Health Division
800 NE Oregon Street, Suite 730
Portland, OR 97232
(971) 673-0984
www.healthoregon.org/tobacco
tobacco.ohd@state.or.us

Data Sources:

Adult data 2002-2005 Behavioral Risk Factor Survey Combined Datasets (point estimates are age-standardized to year 2000 projected population)
Cigarette consumption Oregon data are from the Department of Revenue; National data are from *The Tax Burden on Tobacco 2005*, Orzechowski and Walker
Death data Oregon Death Certificate Statistical Files, average annual deaths 2000 to 2004
Population data July 1, 2006 Certified Population Estimates, Population Research Center, Portland State University
Pregnancy data 2002-2005 Oregon Birth Certificate Statistical Files
Youth data 2005-2006 Oregon Healthy Teens Survey Combined Dataset
Economic data State estimate from CDC's Smoking-Attributable Mortality, Morbidity and Economic Costs is multiplied by the county's share of the tobacco-related deaths 2000-2004

How the Multnomah County Tobacco Prevention Program applies the Socio-Ecological Model



The Socio-Ecological Model, or “Making the Healthy Choice the Easy Choice”

The socio-ecological model recognizes the interwoven relationship that exists between the individual and their environment.

While individuals are responsible for instituting and maintaining the lifestyle changes necessary to reduce risk and improve health, individual behavior is determined to a large extent by social environment, e.g. community norms and values, regulations, and policies.

Barriers to healthy behaviors are shared among the community as a whole. As these barriers are lowered or removed, behavior change becomes more achievable and sustainable. It becomes easier to "push the ball up the hill."

The most effective approach leading to healthy behaviors is a combination of the efforts at all levels--individual, interpersonal, organizational, community, and public policy.

Source: Jane Moore, Ph.D., RD Manager of Oregon Department of Human Services-Health Services,
<http://www.dhs.state.or.us/publichealth/hpcdp/about.cfm#why>

OREGON



Tobacco Prevention
and Education
Program Report
2005 – 2007

TOBACCO PREVENTION AND EDUCATION PROGRAM REPORT 2005 – 2007

For more
contact

Melvin
State
Office
and

Jane
Prog
Heal
Chro

Karen
Prog
Toba
and

Oreg
800
Portl
Telep
www

EXECUTIVE SUMMARY

Tobacco Prevention
and Education
Program Report
2005 – 2007

TOBACCO PREVENTION AND EDUCATION PROGRAM REPORT 2005 - 2007



In Oregon, 48 kids a day smoke
their first cigarette.

**For more information,
contact:**

Melvin A. Kohn, MD, MPH
State Epidemiologist
Office of Disease Prevention
and Epidemiology

Jane M. Moore, PhD, RD
Program Manager
Health Promotion and
Chronic Disease Prevention

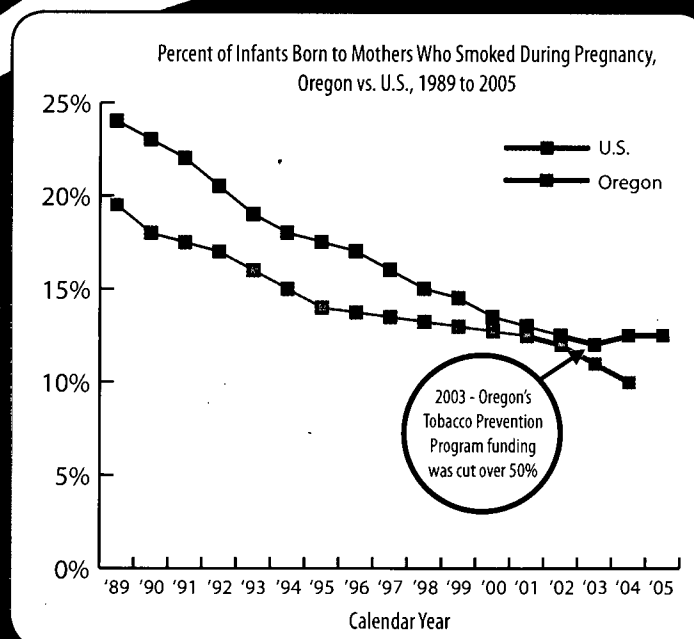
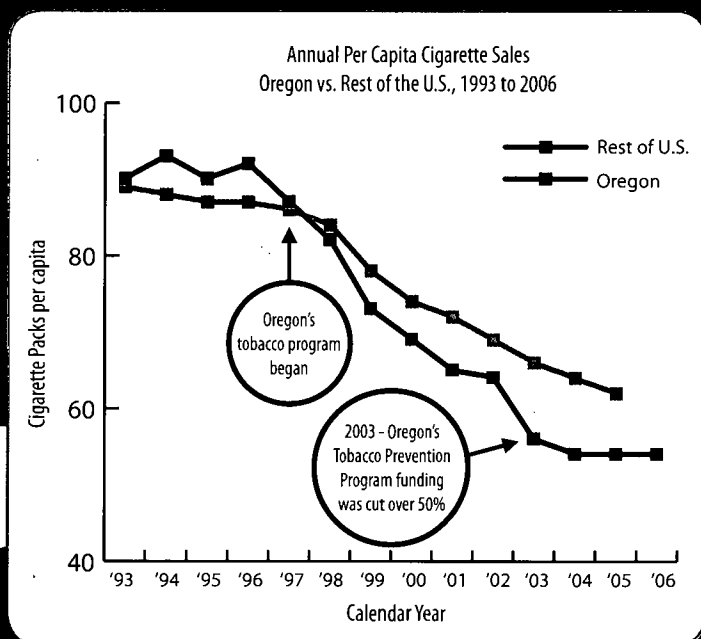
Karen Girard, MPA
Program Manager
Tobacco Prevention
and Education Program

Oregon Public Health Division
800 NE Oregon Street, Suite 730
Portland, OR 97232
Telephone: 971-673-0984
www.healthoregon.org/tobacco



EXECUTIVE SUMMARY

Oregon Department of Human Services Tobacco Prevention and Education Program Report 2005 – 2007



"The debate is over. The science is clear: secondhand smoke is not a mere annoyance, but a serious health hazard that causes premature death and disease in children and nonsmoking adults."

— Vice Admiral Richard H. Carmona, MD, MPH, FACS
United States Surgeon General

"Oregon is at a crossroads. Either fund the Tobacco Prevention and Education Program adequately and continue to make progress on reducing tobacco use or do nothing and watch the good work of the last decade erode. Oregon must take this opportunity to do the right thing."

— Danny McGoldrick, Vice President,
Campaign for Tobacco-Free Kids

April 2, 2007

Dear Oregonians,

Although tobacco use remains the number one preventable cause of death and disease in Oregon, great strides have been made to reduce tobacco's terrible impact. Hard work and commitment by school and community programs, multicultural networks and coalitions during the past nine years have resulted in 133,000 fewer adult smokers in Oregon and 2.7 billion fewer cigarettes sold each year. Because of the success of these activities, I have recommended funding Oregon's Tobacco Prevention and Education Program (TPEP) at a level which will continue this success into the future and which will make TPEP once again a national leader in tobacco prevention, education and cessation.

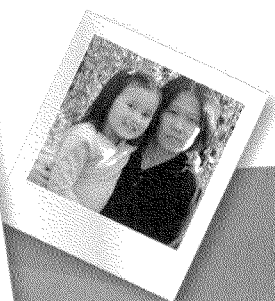
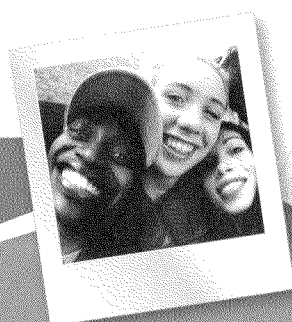
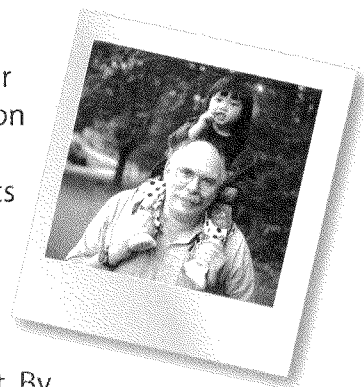
This means tangible savings of Oregon lives and dollars. For example, the number of infants born to mothers who smoke has been dropping. Smoking during pregnancy increases an infant's risk of premature birth and other health problems. Since 1996 approximately 17,000 fewer infants were born to mothers who smoked during pregnancy, saving Oregon approximately \$12 million in health care costs.

To continue this success, we need to continue the good work behind it. Funding for schools, county health departments and community organizations brings education and prevention work to communities statewide. Advertisements on television and radio reinforce messages about the dangers of secondhand smoke and the benefits of quitting tobacco. The Oregon Tobacco Quit Line is an invaluable resource to tobacco users who are ready to quit and could use some help.

Raising tobacco taxes is a cornerstone of my Healthy Kids plan. Higher prices on cigarettes mean that fewer children start smoking and many adult smokers quit. By increasing Oregon's tax on tobacco to be on par with Washington State's tax, we can provide insurance coverage to Oregon's children, and we can take another important step toward preventing tobacco use by youngsters. I also support 100 percent smokefree workplaces. When workplaces go smokefree, many employees cut down or quit for good, employees are protected from secondhand smoke, and companies save money with a more productive workforce.

I am committed to the goal of a healthier Oregon. Increasing tobacco taxes, making certain that all indoor workplaces are smokefree, and supporting the Tobacco Prevention and Education Program's efforts with adequate funding for prevention and cessation are important and necessary if we are to achieve that goal. In fact, investing in tobacco prevention is one of the best steps we can take to improve the health and well-being of our citizens.

Theodore R. Kulongoski
Governor



PROGRESS IN REDUCING TOBACCO USE

Youth

NATIONAL 2010 OBJECTIVE: Reduce youth cigarette smoking prevalence to the target of 16% or less.*

Since the Tobacco Prevention and Education Program began, there has been a dramatic decline in youth smoking:

- In 1996, 22% of 8th graders smoked cigarettes. In 2006, 9% of 8th graders smoked cigarettes. This is a 59% decrease.
- In 1996, 28% of 11th graders smoked cigarettes. In 2006, 15% of 11th graders smoked cigarettes. This is a 46% decrease.
- Without these reductions, Oregon would have roughly 38,000 additional youth smokers today.

This success is encouraging, but the problem is not yet solved. Each day 20 Oregon children begin their addiction to cigarettes. One in three of these young people will die prematurely from tobacco-related diseases.

With increased funding from the Governor's proposed tobacco tax increase, TPEP will expand comprehensive tobacco prevention and education school programs to 220,000 Oregon students. In addition, higher prices on tobacco keep kids from starting to smoke.

* Youth are defined as students in grades 9 through 12.

**8th grade
smoking
down 59%**

**11th grade
smoking
down 46%**

CAUTION:

- 48 kids a day smoke their first whole cigarette.
- 20 of these kids will be regular smokers a year later.

Adults

NATIONAL 2010 OBJECTIVE: Reduce adult cigarette smoking prevalence to the target of 12% or less.

The Tobacco Prevention and Education Program has had significant success in reducing adult smoking since the start of the program.

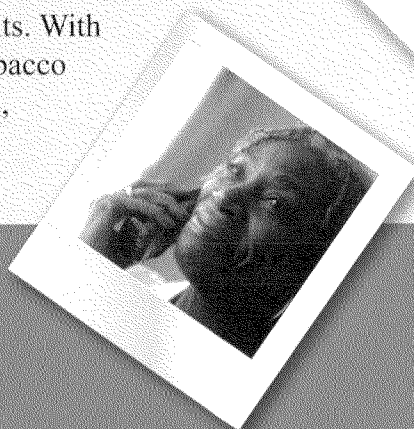
- In 1996, there were 92 packs of cigarettes sold for every person in Oregon; in 2006, that number had declined to 54. This is a 41% decline in consumption.
- In 1996, 23% of adults smoked cigarettes. In 2005, 19% of adults smoked. This is a 21% decrease. Without this reduction, Oregon would have an additional 133,000 adult smokers today.
- Smokeless tobacco use has declined by 35% among adult males.

This success is encouraging, but the problem is not yet solved. Although the Quit Line has helped over 58,000 smokers since its inception, there are still smokers who want to quit -- in fact, 76% of smokers want to quit, or approximately 390,000 Oregon adults. With increased funding from the Governor's proposed tobacco tax, TPEP will be able to provide Quit Line services, including coaching and patches, to five times more Oregonians than are served today.

**Cigarette
consumption
down 41%**

CAUTION:

- Over half a million (515,000) Oregon adults smoke cigarettes.
- Tobacco kills almost 7,000 Oregonians each year.

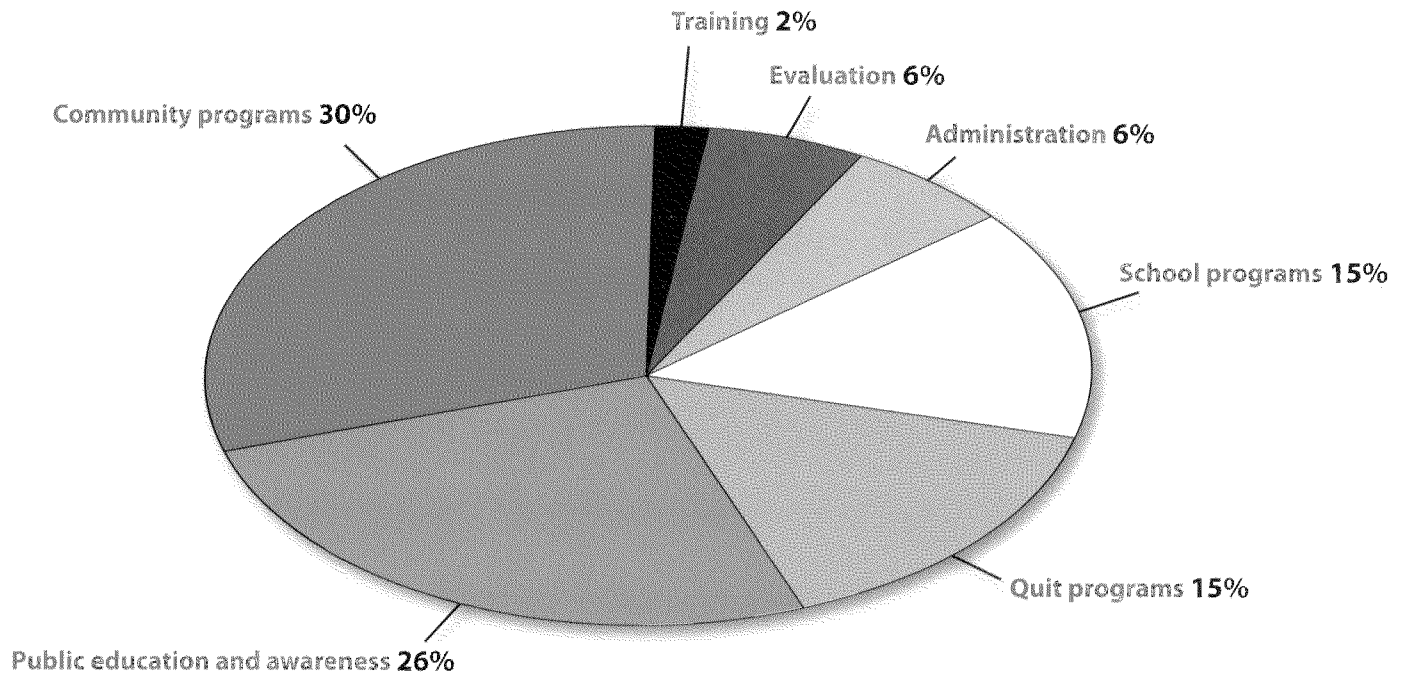


FUNDING

More than 93% of the Tobacco Prevention and Education Program's \$6.9 million biennial budget supports programs and services directly provided by public and private organizations. More than \$2 million goes to local communities across the state through contracts with county health departments, community organizations, schools, and tribes.

TPEP currently contracts with 17 of Oregon's 36 counties, seven of the 200 school districts, and all nine of Oregon's federally recognized tribes. In addition, TPEP maintains contracts with organizations representing five population groups that experience tobacco-related disparities.

TPEP receives less than 1/6th of the minimum amount recommended by the Centers for Disease Control and Prevention for an effective tobacco prevention and education program.



TPEP 2005-2007 Budget

Secondhand Smoke

NATIONAL 2010 OBJECTIVE: Reduce exposure to secondhand smoke in homes and at work.

Oregon has had great success in reducing exposure to secondhand smoke since the start of the program.

- Over 95% of employees are protected by the Oregon Indoor Clean Air Act, which prohibits smoking in most workplaces.
- In 1997, 18% of adults were exposed to secondhand smoke at work two or more hours in a typical week. In 2005, 9% were. This is a 50% decrease in significant workplace exposure.
- Public attitudes about secondhand smoke have changed. In 1997, 71% of adults had a rule completely banning smoking inside their homes. In 2005, 86% did. This is a 21% increase.



Significant workplace exposure down 50%

CAUTION:

- Secondhand smoke is responsible for approximately 800 deaths in Oregon each year.
- 35,000 Oregon workers are not protected by law from secondhand smoke at work.
- 72,000 Oregon children are regularly exposed to secondhand smoke in their homes.

Pregnant Women

NATIONAL 2010 OBJECTIVE: Decrease cigarette smoking by pregnant women.

The Tobacco Prevention and Education Program has had a profound effect on the number of women who smoked during pregnancy.

- In 1996, 18% of infants were born to mothers who smoked during their pregnancy. In 2005, 12% were. This is a 33% decrease in births to smoking mothers.
- Since 1996, approximately 17,000 Oregon infants have had healthier beginnings to their lives because their mothers did not smoke during pregnancy.



Infants born exposed to cigarette smoke prenatally down 33%

CAUTION:

- In 2005, over 5,600 infants were born to mothers who smoked during pregnancy.
- These babies are at greater risk for SIDS, low birthweight and asthma.

COMPREHENSIVE AND STATEWIDE

In 2005 - 2007, the Tobacco Prevention and Education Program (TPEP) is funded at \$6.9 million for the biennium. TPEP works currently with local health departments, tribes, schools, and community organizations to deliver a comprehensive tobacco prevention program to all Oregon residents. These program activities use evidence-based strategies to reduce and prevent tobacco use recommended by the Centers for Disease Control and Prevention.

Community programs: TPEP provides funding to 17 of Oregon's 36 counties, all nine of Oregon's federally recognized tribes, and five community organizations representing diverse population groups, to reduce tobacco use and tobacco industry influence at the community level.

School programs: Seven of Oregon's 200 school districts receive funding from TPEP to implement comprehensive, effective tobacco prevention programs at the school level. These programs are proven to reduce tobacco use among children.

Public Awareness and Education: TPEP conducts a statewide media campaign to raise Oregonians' awareness of the dangers of secondhand smoke and the benefits of quitting tobacco. This campaign includes paid advertising on television, radio and in newspapers, as well as placing news stories and editorials in various media throughout Oregon.

Oregon Tobacco Quit

Line: The Oregon Tobacco Quit Line, funded by TPEP, provides assistance and coaching to callers who want to quit using tobacco. The Quit Line is a free service offered to all Oregonians who use tobacco, their friends, family and health care providers who want to help.

Surveillance and Evaluation: To ensure that programs are appropriate and effective, TPEP tracks, measures and analyzes tobacco-related data on adults and youth in Oregon. Overall program effectiveness is measured by comparing pre-program data and national trends to Oregon data during the same period.

CERTIFICATION

The data used in this report were compiled from a variety of national and state sources, including school-based and telephone surveys. The data are certified as accurate by a committee of technical advisors including:

David Burns, M.D., University of San Diego School of Medicine
Brian Flay, Ph.D., Oregon State University
David Fleming, M.D., Seattle & King County Public Health
David Hopkins, M.D., Centers for Disease Control and Prevention
Ed Lichtenstein, Ph.D., Oregon Research Institute
Terry Pechacek, Ph.D., Centers for Disease Control and Prevention
Barbara Pizacani, Ph.D., Program Design and Evaluation Services
Mike Stark, Ph.D., Program Design and Evaluation Services

The Tobacco Prevention and Education Program's goals:

- ① Prevent youth from initiating tobacco use
- ② Help smokers quit
- ③ Eliminate exposure to secondhand smoke
- ④ Identify and eliminate tobacco-related disparities in all populations.

FOR MORE INFORMATION

Tobacco Prevention and Education Program
800 NE Oregon Street, Suite 730
Portland, OR 97232
(971) 673-0984
www.healthoregon.org/tobacco

This document is available upon request in alternative formats.



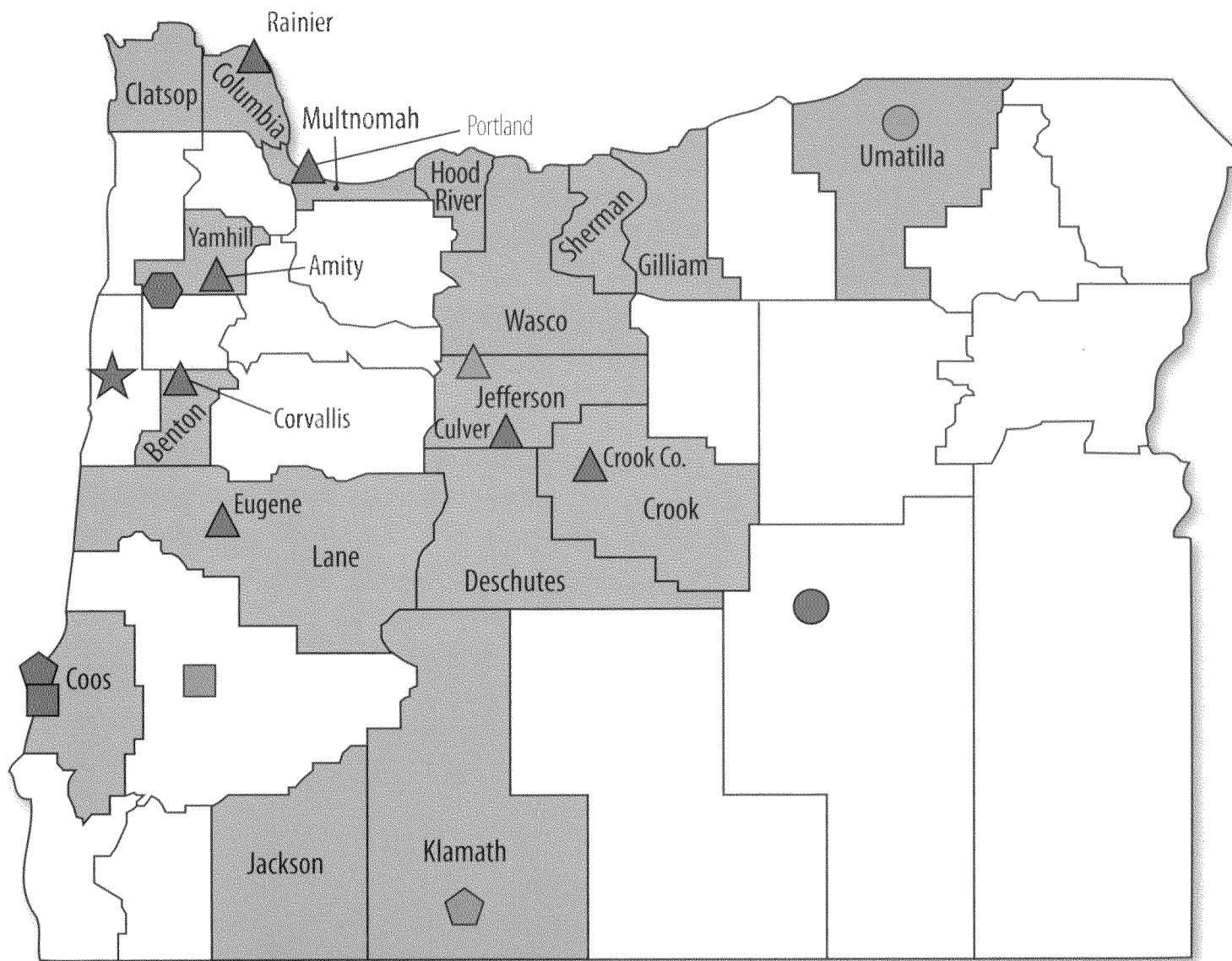
GRANTEES AND THE WORK THEY DO

Tobacco Prevention and Education Program community and tribal grantees develop workplan activities that address the specific needs of their communities.

	SMOKEFREE CASINOS	SMOKEFREE HOUSING	TOBACCO-FREE EVENTS	SMOKEFREE ENTRYWAYS	SMOKEFREE HOSPITALS/CLINICS	SMOKEFREE HOMES & CARS	REDUCING TOBACCO PRODUCT ADVERTISING	SMOKEFREE BARS	TOBACCO RETAILER EDUCATION	SCHOOL POLICY	CESSATION REFERRAL SYSTEMS
Asian Family Center											✓
Benton County Health Department			✓	✓							✓
Burns Paiute Tribe											✓
Cascadia Behavioral Health, Inc. / SMYRC								✓			✓
Clatsop Health & Human Services								✓			✓
Columbia County Public Health			✓								✓
Coquille Indian Tribe											✓
Confederated Tribes of Coos, Lower Umpqua & Siuslaw Indians											✓
Confederated Tribes of Grand Ronde								✓			✓
Confederated Tribes of Siletz Indians			✓	✓							✓
Confederated Tribes of the Umatilla Indian Reservation			✓	✓							✓
Confederated Tribes of Warm Springs Indian Reservation			✓								✓
Coos County Public Health								✓			✓
Cow Creek Band of Umpqua Tribe of Indians			✓								✓
Crook County Health Department				✓							✓
Deschutes County Health Department								✓			✓
Jackson County Health Department			✓	✓							✓
Jefferson County Health Department			✓	✓							✓
Klamath County Department of Public Health			✓	✓							✓
Klamath Tribe				✓							✓
Lane County Department of Health & Human Services								✓			✓
LifeWorks NW, Inc.								✓			✓
Multnomah County Health Department								✓			✓
Native American Rehabilitation Association of the Northwest			✓								✓
Oregon Human Development Corporation			✓								✓
Umatilla County Public Health			✓								✓
Wasco-Sherman Public Health Department*											✓
Yamhill County Public Health			✓	✓							✓

*in consortium with Gilliam and Hood River Counties

Local Tobacco Prevention and Education Programs in Oregon: Counties, Tribes, and School Districts



Legend

- ▲ School district
- Burns Paiute Tribe
- Coquille Tribe
- ⬠ Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians
- ⬡ Confederated Tribes of Grand Ronde
- ★ Confederated Tribes of Siletz Indians of Oregon
- ▲ Confederated Tribes of Warm Springs Indian Reservation of Oregon
- Confederated Tribes of the Umatilla Indian Reservation
- Cow Creek Band of Umpqua Indians
- ⬠ Klamath Tribe
- Shaded areas indicate County Programs

Map produced by Tobacco Prevention and Education Program,
Oregon Public Health Division
Last updated: 2/22/2007

Please give us your feedback!

Tell us what you think of this report by going to our website:
<http://oregon.gov/DHS/ph/tobacco/ar05-07.shtml>



Kylie Meiner, MPH

Tobacco Prevention Program Coordinator
Chronic Disease Prevention Program

Health Department

MULTNOMAH COUNTY OREGON

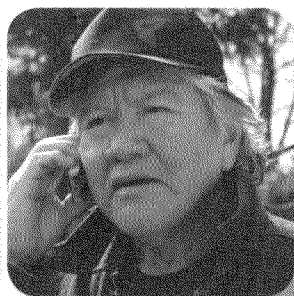
Community Health Promotion,
Partnerships & Planning

426 SW Stark, 9th Floor
Portland, Oregon 97204

(503) 988-3663 x29356

(503) 988-3283 Fax

kylie.a.meiner@co.multnomah.or.us



WW Photography

Should you call the Quit Line?

- Are you ready to quit? Call and we'll help you make your quit plan.
- Are you *not* quite ready to quit? Call and we'll help you get started.
- Have you tried to quit and it didn't work? It can take more than one try to quit for good. Don't be discouraged. Call us. We'll help you make a new quit plan.
- Have you already quit? We know it's hard for a while. If you need some help to stay tobacco-free, please call us.

1 Call the Quit Line

Quit Line numbers
Call these numbers for free from anywhere in Oregon.

1-877-270-7867 (English)

1-877-266-3863 es el número gratis en español (Spanish)

1-877-777-6534 (TTY number for people with hearing impairment)

Quit Line hours
5 am to 9 pm every day

2 Talk with an expert Quit Coach



We know what you're going through. We don't nag or lecture.

We help you feel more confident about quitting for good.

There are many different ways to quit. We'll help you make a quit plan that will work for you.

- We'll give you tips on what to do when you have the urge to smoke or chew.

- We'll talk about times and situations when you usually smoke or chew, and ways to change these routines when you quit.
- If you've tried to quit, we'll talk about what hasn't worked and new things you could try.
- We'll tell you about medications that can help you quit.

3 Get more help from your Quit Guide

- We'll send you a **Quit Guide** chosen just for you.

4 Ask for support and plan your rewards

- Tell your family and friends about your quit plan and ask for their support.
- Plan rewards for yourself!

Quit and celebrate

Save money!

Enjoy better health!

Feel great about yourself!

5 If you ever need more help, call us again

Whether you smoke or chew, we can help you quit for good

- **We know ways to make it easier.** We give you friendly support and practical tips that really work.
- **You'll get help that fits your needs.** Everybody is different. The help we give is personalized for your situation.
- **The Quit Line really works.** People who get help from the Quit Line are twice as likely to quit for good.

Our help is free and confidential

- **It's all free.** The call is free, our help is free, and the quit guide is free. The Quit Line is run by the state and paid for by state tobacco taxes.
- **We respect your privacy.** Calls to the Quit Line are confidential.

9 out of 10

callers would recommend
the Quit Line to a friend.

Thank you so much
for your help and
what it's doing for
me and my kids.

— KM, Bend

This was exactly
what I needed.

— JH, LaGrande

You people are
wonderful!

— GG, Salem

My doctor says
you are the
state-of-the-art
program.

— SM, Portland

Two of my friends
want your number.
They were so sure
I wouldn't be able
to quit!

— JB, Grants Pass

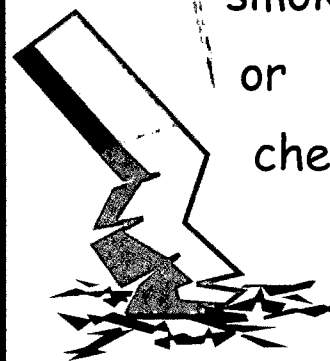
Visit our Web site: www.quittobacco.org

Other formats: If you have a disability
and need this information in a different
format, please call 971-673-0984.



Tobacco Prevention and Education Program

Want
some
free
and
friendly
help
to quit
smoking
or
chewing?



Call us!

We can make it easier for you to
quit for good.

Oregon Tobacco Quit Line
1-877-270-7867

The Smokefree Workplace Law

With few exceptions, the Oregon Indoor Clean Air Act (ORS 433.835-990) and the Multnomah County Smokefree Workplace Law (MCC 521.500-506) require that:

- **"No person shall smoke or carry a lighted smoking instrument in a public place"**
- **"Every employer shall provide a place of employment free of tobacco smoke for all employees"**



*A "place of employment" includes any enclosed area** under the control of a private or public employer that employees normally frequent during the course of employment.

**An "enclosed area" is all the space between a floor and a ceiling that is enclosed on all sides by solid walls or windows (exclusive of doors or passage-ways) that extend from the floor to the ceiling, including all space therein screened by partitions that do not extend to the ceiling or are not solid.

Why is this law important?

Secondhand smoke is air pollution.

Secondhand smoke is responsible for about 53,000 deaths in the U.S. every year. Some of the diseases caused by secondhand smoke are:

- Lung cancer & other cancers
- Heart disease & heart attacks
- Emphysema
- Pneumonia
- Bronchitis
- Asthma & asthma attacks
- Sudden Infant Death Syndrome (crib death)

The Smokefree Workplace Law protects people from secondhand smoke, encourages smokers to quit, and discourages nonsmokers from ever starting.

Smokefree Workplaces

Smoking is prohibited in most workplaces & public places, including but not limited to:

- Restaurants*
- Private Offices/ Commercial Office Buildings
- Retail/ Wholesale Establishments*
- Manufacturing Plants/ Mills
- Hotels/ Motels*
- Bowling Centers
- Healthcare facilities
- Child Care Facilities
- Movie Theaters/ Indoor Entertainment Venues
- Billiard Halls
- Race Courses
- Truck Stops
- Public Transportation
- Warehouse Areas
- Restrooms
- Classrooms
- Cafeterias
- Common Areas
- Hallways/ Stairways
- Lobbies
- Banquet Facilities/ Meeting Rooms
- Conference Rooms
- Employee Break Rooms*
- The City of Portland prohibits smoking in taxicabs and other private-for-hire vehicles.**
- Hospital grounds, except for designated outdoor areas***

* With certain exceptions. See next section.

** Enforced by City of Portland.

*** Enforced by hospitals.

Smoking is allowed under certain conditions:

- Bar sections of restaurants, during times when the OLCC-licensed bar section is posted as off-limits to minors
- OLCC-licensed Bars/Taverns, when posted as off-limits to minors
- Retail Tobacco Stores that primarily sell tobacco products and accessories, and where the sale of other products is secondary
- Rented Hotel/Motel guest rooms designated as smoking rooms
- Private Homes, except when there is a child care, adult day care, or a health care facility
- Private rooms rented for residential occupancy that exceeds one month, as long as there is no child care, adult day care, or health care facility
- Bingo operations licensed under ORS 464.250 et seq.
- Employee smoking lounges if:
 1. The lounge is not accessible to minors.
 2. Employees are not required to go into the lounge as part of their work duties.
 3. There are sufficient nonsmoking break-rooms for nonsmoking employees.
 4. The lounge is separately ventilated according to Multnomah County Health Department standards. Call 503-988-4163 to ask about the ventilation standards.

Smokefree Public Places

Tips for Compliance

- Do not allow smoking by anyone at anytime in the facility.
- Do not allow anyone to carry a lighted smoking instrument (cigarette, pipe, cigar, etc.) inside the facility.
- Post "No Smoking" signs.
- Remove ash receptacles.
- Ask the Health Department about free educational posters, videos, and pamphlets.
- Encourage your employees to use the law as a reason to quit smoking. Distribute information about the free Oregon Tobacco Quit Line.
- Tell employees, customers, clients, and visitors that the law doesn't allow smoking, and you could be fined for a violation.

Violations

- It is a violation to allow smoking in any facility where smoking is prohibited by the law.
- It is a violation for any person to smoke or carry a lighted smoking instrument in any area where smoking is prohibited by the law.
- Ashtrays are prohibited when and where smoking is prohibited.
- "No smoking" signs must be posted at entryways.
- OLCC-licensed bars, clubs, taverns, or restaurants that prohibit minors in certain areas or at certain times must post signs that clearly state when and where smoking is prohibited.
- Employee smoking lounges must comply with ventilation standards and signage requirements.

Reporting a Possible Violation

Call **503-988-4163** to make a complaint.

Please provide as much information about the facility as you can, including:

- the name, phone number, and address of the facility
- the name of the owner or manager of the facility
- the nature of the violation
- your name & phone number so we can follow-up with you

For more information call **503-988-4163** or visit **www.smokefreeworksite.org**



Enforcement

Fines for violations of Multnomah County's Smokefree Workplace Ordinance (MCC 521.501 et seq)

1. For a first complaint, no fine will be imposed. A written warning will be issued, with educational materials and a referral phone number for the Tobacco Prevention Program. The Tobacco Prevention Program will provide technical assistance to achieve compliance upon request.
2. For a second complaint, no fine will be imposed. Tobacco Prevention program staff will make an unannounced visit and work with the owner or manager of the facility to create a remediation plan, which must be completed within 2 weeks. We will make a second unannounced visit within 2 weeks of the remediation plan deadline. If we observe continued violations, we will issue a civil fine in the amount of \$100.
3. For subsequent complaints, we will make an unannounced visit. If the Health Department substantiates the violation through investigation, a civil fine will be imposed according to the following schedule, except if no substantiated violations are committed for 12 months, the fine imposed will be the same as for the first substantiated violation.

Substantiated Violation Fine	
First	\$ 100
Second	\$ 250
Third	\$ 500
Fourth and each subsequent violation	\$ 1,000
4. Fines must be paid or appealed within 30 days. Fines imposed under this rule may be appealed in writing to the Director of the Multnomah County Department of Health. The Director's decision will be final.

Fines became effective as of July 1, 2000.



The Smokefree Workplace Law

Multnomah County Health Department Tobacco Prevention Program

www.smokefreeworksite.org
503-988-4163

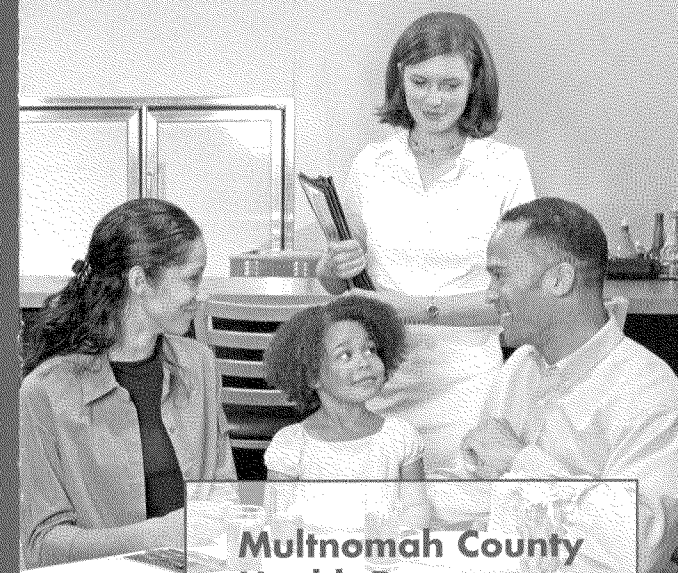


**Multnomah County
Health Department**

426 SW Stark St., 9th floor, Portland, OR 97204

The Smokefree Workplace Law

Smokefree
Workplaces



**Multnomah County
Health Department
Tobacco Prevention
Program**

Smokefree Public Places

**A Landlord's
Guide to**

No-Smoking Policies

HIGHER PROFITS

HAPPIER TENANTS

SAFER HOUSING



"For me it was the repainting each time,
the extent of cleaning, professional carpet
cleaners, hoping you would get the smell out.
I just finally decided it wasn't worth it."



The Portland-Vancouver Metro Area Smokefree Housing Project is a partnership between the American Lung Association of Oregon, Multnomah County Health Department and Clark County Public Health. Together with our Advisory Board, we want to show landlords how no-smoking rules are a win-win for business and for health.



SMOKE
FREE

Non-Smoking Housing

"... being an early implementer of smoke-free policies, a property management company could earn a reputation in the market for doing a better job of recognizing and offering the amenities tenants want, while at the same time ensuring higher retained earnings as a result of lower maintenance and related costs."

— John Campbell, national landlord trainer and consultant

Good for Business and Health

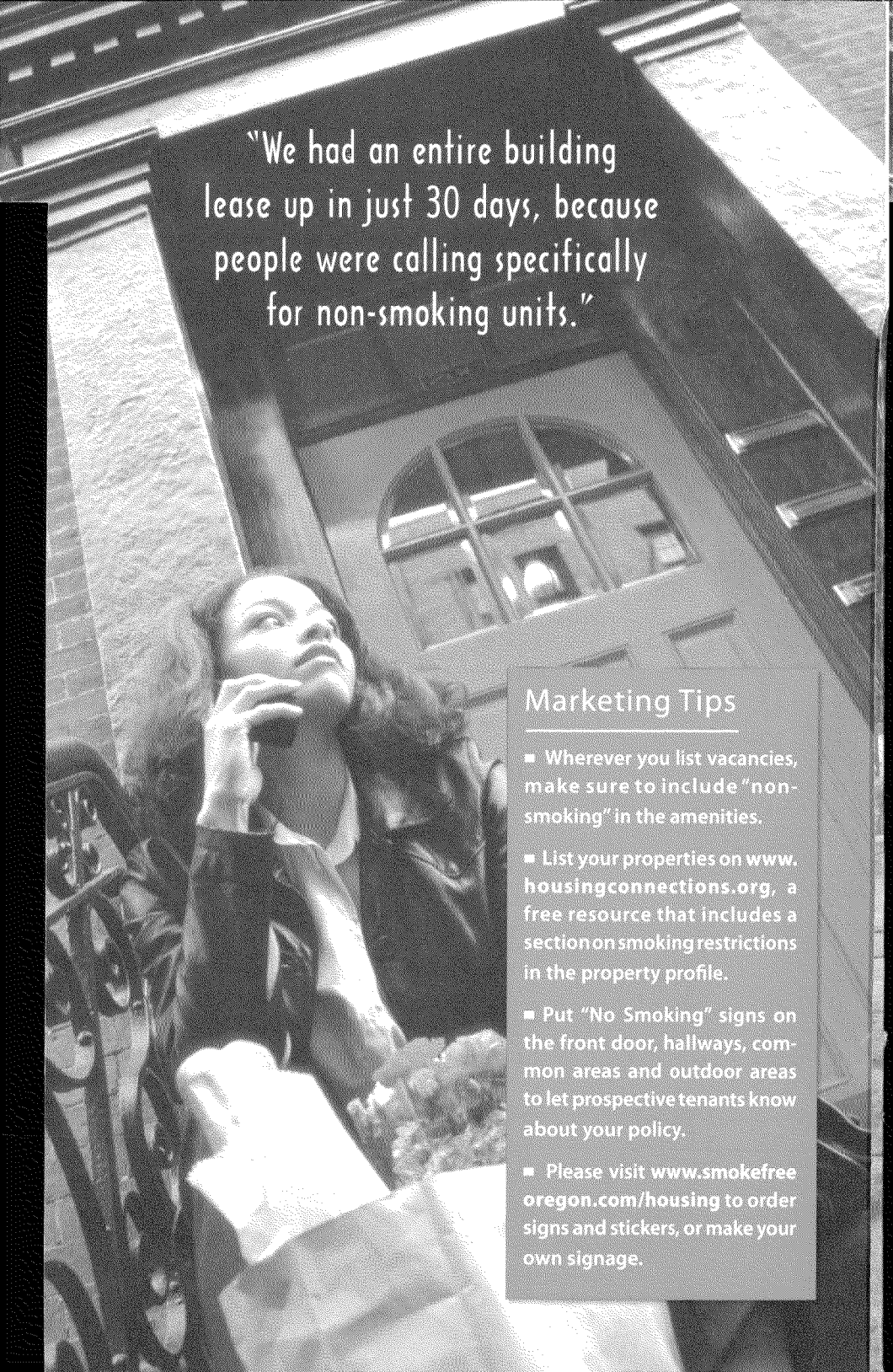
Have you been thinking about a no-smoking rule for your rentals? If you are like other landlords, you are sick and tired of the time and money it takes to repaint, replace carpet, and turn over apartments where tenants have been smoking indoors. You know that smoking is a major fire hazard and a liability. Maybe your tenants have complained about tobacco smoke drifting from neighboring units. You have heard that other landlords have eliminated these headaches by adopting a no-smoking rule, and you are wondering if it will work for you, too.

Well, good news! You can adopt a no-smoking rule. Just as you might prohibit pets, you can prohibit smoking at your rental properties, even inside individual units and in outdoor areas. It is entirely legal.

On our website, www.smokefreeoregon.com/housing, we have additional resources for landlords and tenants to help address this issue. See the last page of this booklet for a list of helpful articles and handouts that can be found on our website.

"The debate is over. The science is clear: secondhand smoke is not a mere annoyance, but a serious health hazard."

— U.S. Surgeon General Richard Carmona, 2006



"We had an entire building
lease up in just 30 days, because
people were calling specifically
for non-smoking units."

Marketing Tips

- Wherever you list vacancies, make sure to include "non-smoking" in the amenities.
- List your properties on www.housingconnections.org, a free resource that includes a section on smoking restrictions in the property profile.
- Put "No Smoking" signs on the front door, hallways, common areas and outdoor areas to let prospective tenants know about your policy.
- Please visit www.smokefreeoregon.com/housing to order signs and stickers, or make your own signage.

MARKET DEMAND

Non-smoking housing is an exciting market opportunity for Portland-Vancouver metro area landlords.

In the summer of 2006, we commissioned research on both landlords and tenants in the Portland-Vancouver metro area. Here is what we found:

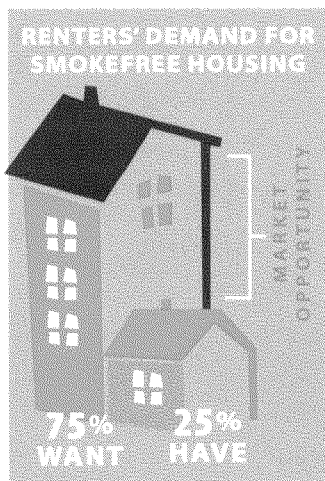
Most renters would prefer non-smoking buildings

- Three-quarters would rather live in a non-smoking building.
- 52% would even pay extra rent.
- Three-quarters say it is okay for landlords to prohibit smoking inside rental units to keep secondhand smoke from drifting into other units.
- Most renters, regardless of income, age, or gender, would prefer a no-smoking rule.
- Over a third of renters in multi-unit buildings say they are regularly exposed to a neighbor's secondhand smoke.

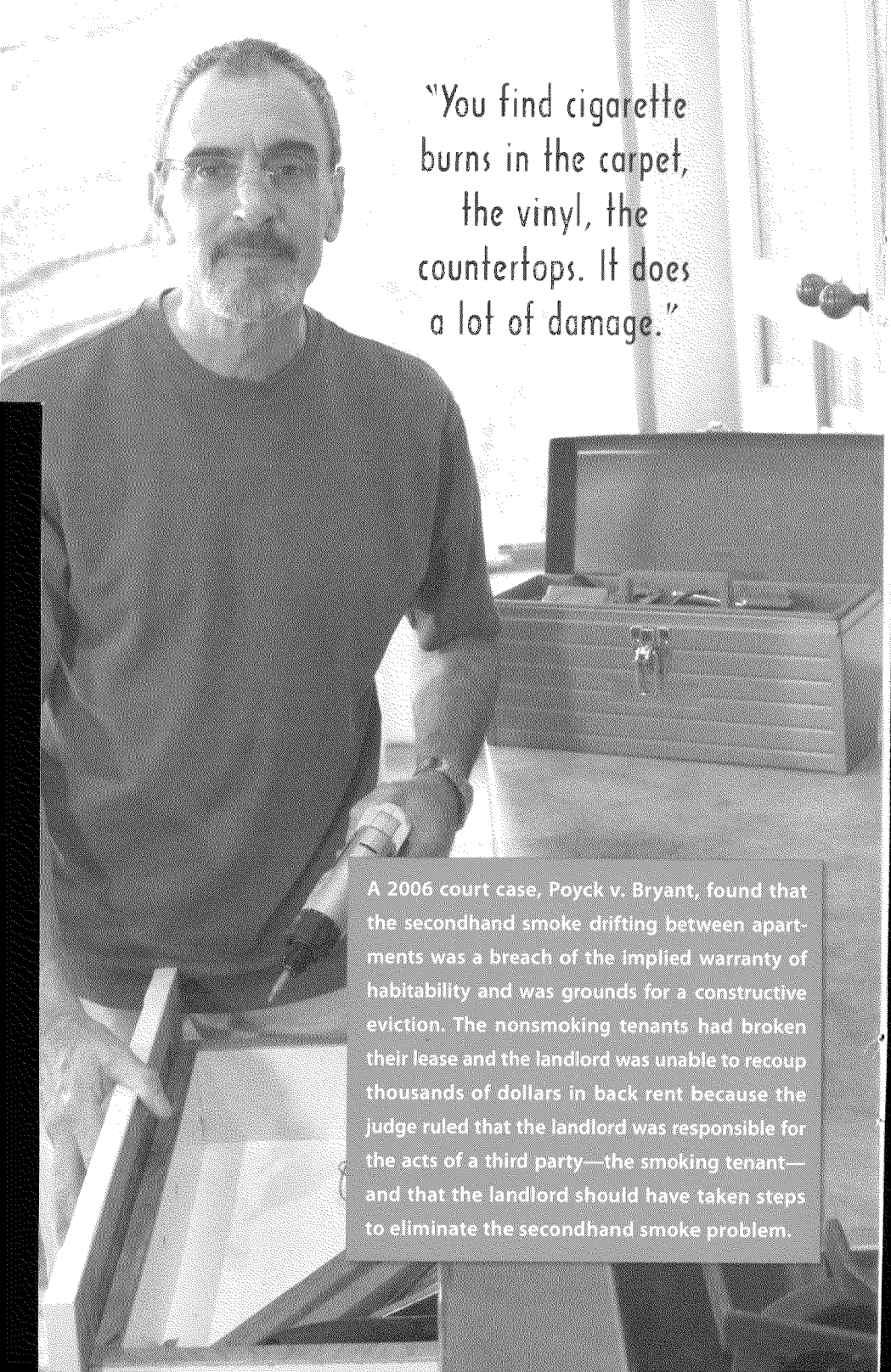
Most renters don't smoke and most smokers smoke outside

- Three-quarters of renters do not smoke at all.
- 19% of renters smoke daily—but only 11% smoke inside regularly.
- Two-thirds of smokers agree that even small amounts of secondhand smoke are hazardous to your health.

Statistics are from the market survey report, "Smoke-free Rental Housing in the Portland Metro Area." Campbell DeLong Resources, Inc, 2006.



Many landlords say that a no-smoking rule helps them attract and keep tenants who take good care of their units.



"You find cigarette
burns in the carpet,
the vinyl, the
countertops. It does
a lot of damage."

A 2006 court case, *Poyck v. Bryant*, found that the secondhand smoke drifting between apartments was a breach of the implied warranty of habitability and was grounds for a constructive eviction. The nonsmoking tenants had broken their lease and the landlord was unable to recoup thousands of dollars in back rent because the judge ruled that the landlord was responsible for the acts of a third party—the smoking tenant—and that the landlord should have taken steps to eliminate the secondhand smoke problem.

PROTECT YOUR INVESTMENT

Your property is an important investment. Protect it! A no-smoking rule will help you save money by reducing damage to your property, preventing fires, and avoiding liability.

A no-smoking rule is one of the easiest ways to reduce damage to your units and keep your costs down:

If you have tenants who smoke, you know what it does to your property: burn marks on the counters, yellow walls, trashed carpets, a horrible odor, and worse. A no-smoking rule will help you spend less time and money on cleaning, repairs and painting. It will keep your units in better condition, making them more attractive to prospective tenants and to buyers if you decide to sell.

A no-smoking rule will also protect your property from fires:

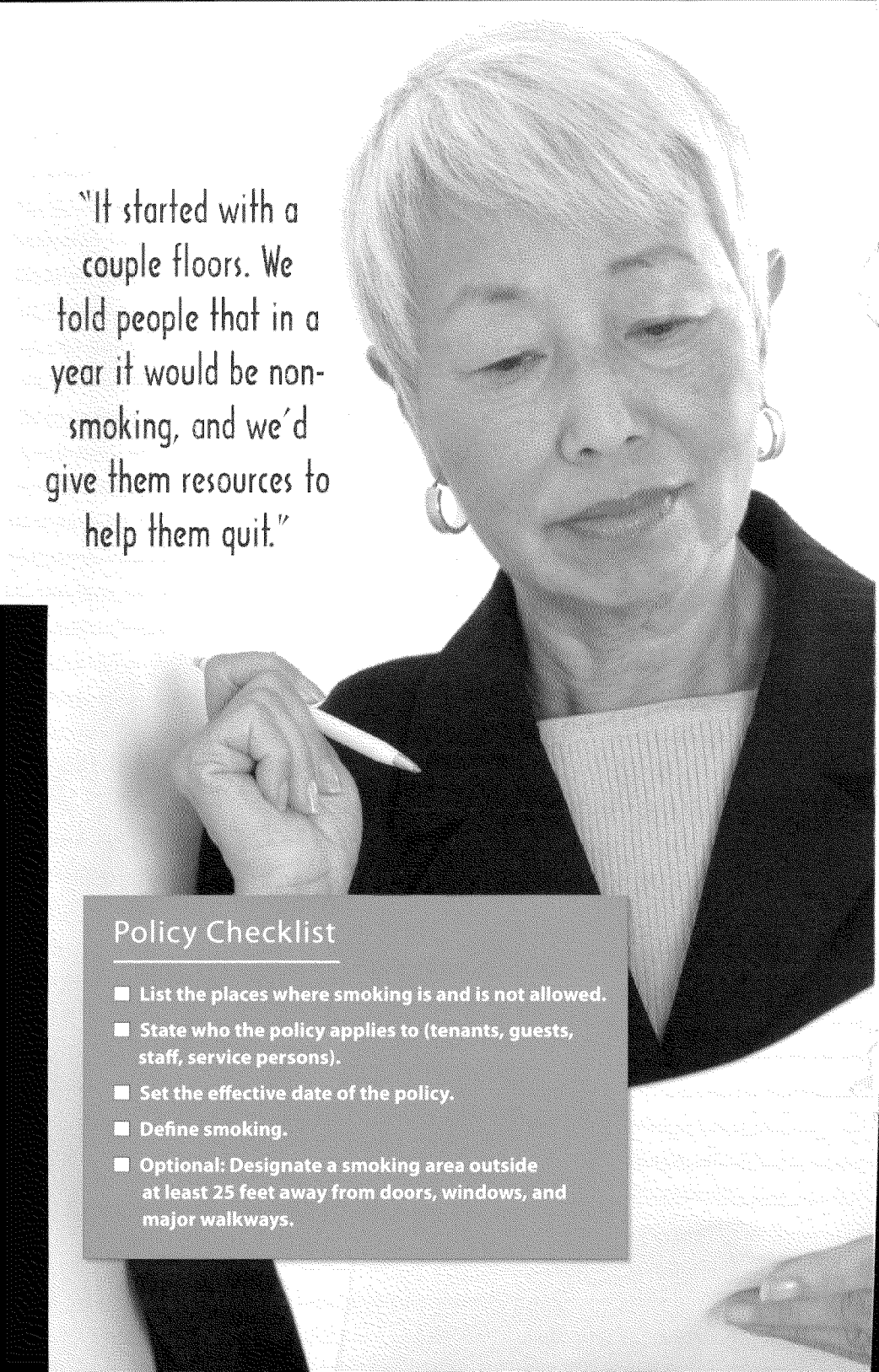
The Hartford Insurance Company reports that more people die in fires caused by smoking than by any other type of fire. Smoking is the #1 cause of residential fire deaths in Oregon and Washington, causing more expensive property damage than most other types of fires. A no-smoking rule will reduce the risk of fires at your rental properties and you may even be able to get an insurance discount. Ask your broker.

A no-smoking rule will help you avoid potential legal liability due to nonsmoking tenants' exposure to secondhand smoke:

Several common law theories, including constructive eviction and breach of the warranty of habitability, have been used to bring successful legal action against landlords and smoking tenants. Tenants with certain disabilities may also be able to request reasonable accommodations to protect them from secondhand smoke. Ventilation and air sealing technologies are not effective ways to eliminate secondhand smoke according to the American Society of Heating, Refrigerating and Air Conditioning Engineers.



Landlords who adopted no-smoking rules tell us they would never go back.



"It started with a couple floors. We told people that in a year it would be non-smoking, and we'd give them resources to help them quit."

Policy Checklist

- List the places where smoking is and is not allowed.
- State who the policy applies to (tenants, guests, staff, service persons).
- Set the effective date of the policy.
- Define smoking.
- Optional: Designate a smoking area outside at least 25 feet away from doors, windows, and major walkways.

DEVELOPING YOUR NO-SMOKING RULE

When you are opening a new building or complex, the easiest thing to do is prohibit smoking from the beginning. When converting an existing building or complex, you may need to phase in the policy as you fill vacancies or as leases are renewed. You can also "go smokefree" after a certain date if you follow landlord-tenant law requirements, including giving advance notice and having tenants agree to the changes in writing.

Write your rule into the rental agreement in "other rules" or add a lease addendum using our sample lease language.

Sample Lease Language



SMOKING: Due to the increased risk of fire, increased maintenance costs, and the known health effects of secondhand smoke, smoking is prohibited in any area of the property, both private and common, indoors and within 25 feet of the building(s) including entryways, balconies and patios. This policy applies to all owners, tenants, guests and service persons. Tenants are responsible for ensuring that family members, roommates and guests comply with this rule.

(If you are "phasing in" the policy)

All new and renewed leases in your building prohibit smoking as described here. Please be aware that, until all leases have been renewed, you may have neighbors whose current lease does not prohibit smoking.

DEFINITION

SMOKING: The term 'smoking' means any inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, or other tobacco product in any manner or any form.

"We do an addendum to the lease, and tenants have to sign it."



Non-Smoking Building

Helpful Talking Points

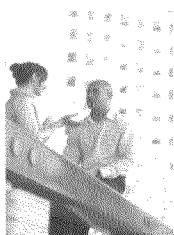
- Tenants and their families will be safer from fires.
- The air will be healthier for everybody who lives in a non-smoking building.
- There will be less damage to the units.
- A no-smoking rule is not a 'no-smoker rule.' Smokers will simply have to step outside (as most smokers already do), and away from the building.
- If a smoker is ready to quit, free resources include the Tobacco Quit Line at 1-800-QUIT-NOW and Freedom From Smoking at lungusa.org.

HOW TO ENFORCE YOUR NO-SMOKING RULE

A no-smoking rule is just like any other rule you enforce.

Tips for Getting Tenants to Comply:

1. Advertise the units as non-smoking to attract tenants who either don't smoke or only smoke outside. Talk to prospective tenants about it when showing the property.
2. Put the no-smoking rule in the lease agreement and read through the rule with tenants as they sign their lease.
3. Post signs in the building and on the property.
4. Inform tenants that if they smoke in their units, they will be financially responsible for bringing the unit back to rentable condition, which could cost thousands of dollars.
5. Use the same warning/enforcement methods for smoking rule violations that you use for any other rule.
6. Visit the properties regularly and perform inspections, just as should always be done for all rentals.
7. Optional: Provide a designated smoking area outside, away from windows and doors (25 feet is a good distance).

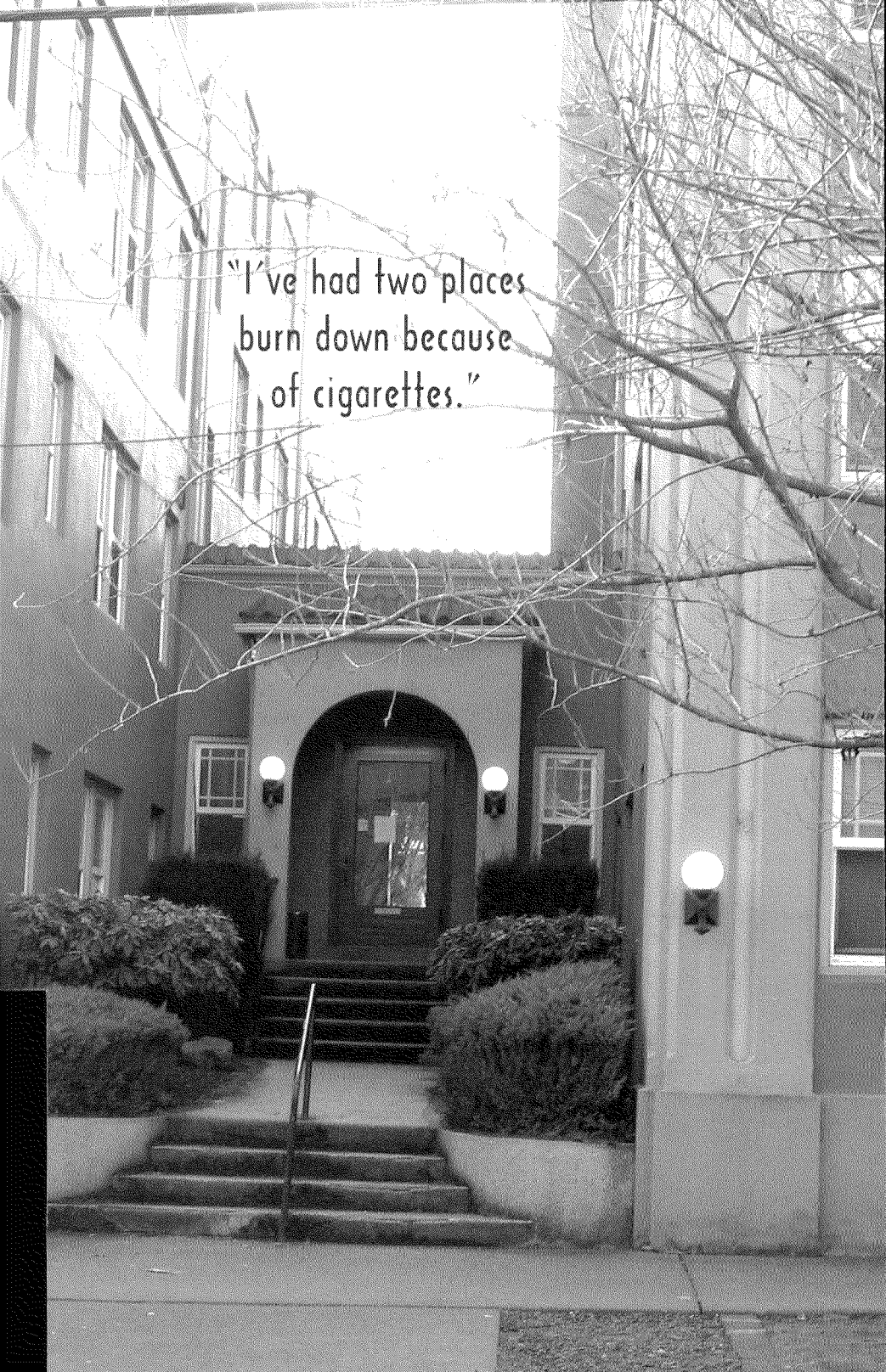


Talking to Your Tenants:

Giving your tenants advance notice about the no-smoking rule will help you gain compliance with the policy. You might want to go "over and above" your normal procedures for announcing rule changes. A little bit of extra work at the beginning could help you avoid headaches later on. Some landlords choose to survey their tenants to find out how many smoke inside their units, how many would prefer a no-smoking rule, and how many would want to move. Smokefreeoregon.com/housing has sample survey questions and a sample tenant handout to help you explain your rule to tenants.

Enforce your no-smoking rule just like any other rule.

"I've had two places
burn down because
of cigarettes."



FREQUENTLY ASKED QUESTIONS

Q. What do I have to gain from a no-smoking rule?

- A.** A no-smoking rule will help protect your property from damage and fires. You will save money on turnover expenses because apartments will cost less to clean, repair, and repaint. As more people become aware of the health hazards of secondhand smoke, no-smoking is an amenity that most Portland-Vancouver metro area tenants want.

Q. Is a no-smoking rule legal?

- A.** Yes. It is legal to prohibit smoking at your properties, inside and out. It is your property and you have the right to set reasonable rules to protect it. It is not discrimination to prohibit smoking. Smoking is a behavior, not an inborn characteristic. It is not a disability and smokers are not a protected class. As when changing any rule, be sure to follow landlord-tenant law (give notice, have tenants sign their agreement with the rule change, apply it equally, etc.).

Q. Can I adopt a no-smoking rule in HUD-assisted housing?

- A.** Yes. You can adopt a no-smoking rule for new tenants at HUD-assisted housing; but you may have to "grandfather" existing tenants until their leases renew. If you want to change the model lease, you will have to get HUD approval, but changes can be made to "House Rules" without HUD approval.

Q. Do no-smoking rules work only in higher end properties?

- A.** No. Many local landlords are already enjoying success with no-smoking rules at all kinds of properties, in all sections of the metro area. Three quarters of renters, even those with household incomes under \$25,000, would rather live in a non-smoking building. Three out of four metro area renters are nonsmokers. Our survey found that only 19% of metro area renters smoke on a daily basis, but only 11% smoke inside.

Q. My tenants are complaining about secondhand smoke. What can I do about it until the no-smoking rule goes into effect?

- A.** Ask tenants to smoke outside or away from the building. You could try to reduce the secondhand smoke drifting between your tenants' units by sealing the units off or by improving the ventilation, but be aware that neither will eliminate the problem.

REFERENCES:

LOCAL RESEARCH

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Opinions of Experienced Metro-Area Landlords Regarding Smoking Policies & Practices, Campbell DeLong Resources, Inc. January 2007. www.smokefreeoregon.com/housing

HOUSING REGULATIONS

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"Analysis of the authority of Housing Authorities and Section 8 multiunit housing owners to adopt smoke-free policies in their residential units" Susan Schoenmarklin, Esq. May 2005. www.tcsg.org/sfelp/public_housing24E577.pdf

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Poyck V Bryant. Opinion of the Court. Justice Hagler. August 24, 2006. www.nycourts.gov/reporter/3dseries/2006/2006_26343.htm

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"The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General." June 27, 2006. www.surgeongeneral.gov/library/secondhandsmoke/

"Environmental Tobacco Smoke Position Statement." The American Society of Heating, Refrigerating, and Air-Conditioning Engineers. June 2005. www.ashrae.org/doclib/20058211239_347.pdf

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"2005 Annual Report." The Oregon State Fire Marshall. 2005. www.egov.oregon.gov/OOHS/SFM/docs/Data_Services/2005_Annual_Report_FINAL.pdf

"Fire in Washington." The Washington State Fire Marshall. 2004. www.wsp.wa.gov/fire/2004firpt.pdf

RESOURCES FOR LANDLORDS



Visit www.smokefreeoregon.com/housing for the following resources:

- Order form for signs & stickers.
- Tenant Handout—to explain the benefits of a no-smoking rule.
- Sample Tenant Survey—to find out how many tenants would prefer a no-smoking rule.
- Market Survey Report: "Smoke-free Rental Housing in the Portland Metro Area."
- Landlord Focus Group Report "Opinions of Experienced Metro-Area Landlords Regarding Smoking Policies and Practices."
- Fact sheet on Secondhand Smoke.
- Articles about HUD-assisted housing, the Fair Housing Act, the American with Disabilities act, legal cases and how they relate to secondhand smoke and no-smoking policies.

Secondhand Smoke Facts

- Secondhand smoke kills 53,000 non-smoking Americans and 800 non-smoking Oregonians every year.
- Secondhand smoke contains more than 43 cancer-causing agents and many other toxins, including formaldehyde, cyanide, carbon monoxide and arsenic.
- Secondhand smoke exposure causes heart disease and lung cancer in adults and sudden infant death syndrome and respiratory problems in children.
- There is no risk-free level of secondhand smoke exposure: even brief exposure adversely affects the cardiovascular and respiratory systems.
- Only smokefree environments effectively protect people from secondhand smoke exposure indoors.

Smokefree Housing Advisory Board:

Metro Multi-Family Housing Association

City of Portland Bureau of Housing & Community
Development, Healthy Homes Initiative

HousingConnections.org

Fair Housing Council of Oregon

Housing Authority of Portland

Vancouver Housing Authority

Portland Development Commission

Tobacco Free Coalition of Clark County

Tobacco-Free Coalition of Oregon

Tobacco Free Tri-Counties

IRCO/Asian Family Center

Lifeworks

Native American Rehabilitation Association

Oregon Human Development Corporation

*This project is funded by generous grants in **Oregon** from American Legacy Foundation, Kaiser Permanente Community Fund at Northwest Health Foundation and the Oregon Public Health Division and in **Washington** from Community Choices 2010 and Steps to a Healthier Clark County.*



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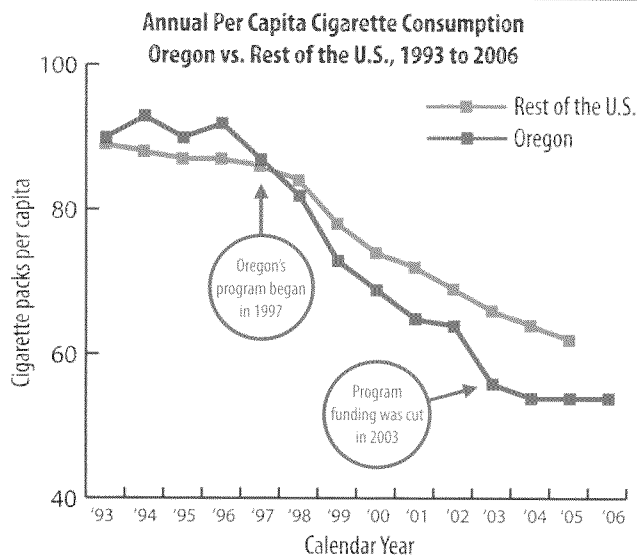
The information and materials contained in this brochure are for informational purposes only and are not offered or intended to be and should not be construed to be legal advice nor to be a substitute for obtaining legal advice from a licensed attorney.



www.smokefreeoregon.com/housing

DECLINES IN PER CAPITA CIGARETTE CONSUMPTION

Oregon voters decided to invest in tobacco prevention in 1996, and until 2003 they experienced sizable returns on their investment: per capita cigarette consumption declined 41%. This is nearly 60% greater than the national decline. However, consumption has plateaued since 2003, the year Oregon's tobacco prevention funding was reduced.



Sources: Oregon, Oregon Department of Revenue; US (Without Oregon), Orzechowski and Walker (1999-2005) and Research Triangle Institute (1993-1998); Population, US Census Bureau

Oregon's Tobacco Prevention and Education Program (TPEP) started in 1997 after voters passed Ballot Measure 44. Under Ballot Measure 44, three cents of the tax on each pack of cigarettes was to be dedicated to funding tobacco prevention.¹

In 2003, the Oregon Legislature reduced funding for tobacco prevention. TPEP currently receives 58% of the funding mandated by Ballot Measure 44, and only 1/6th of the minimum funding recommended by the Centers for Disease Control and Prevention for state tobacco programs.²



From 2003 to 2006, decreases in cigarette consumption stagnated. When California's funding was cut in 1993-1995, their decreases in tobacco use also stalled.³ This trend may be a sign that TPEP's past success in decreasing cigarette consumption is not sustainable at the current reduced funding level. If funding for TPEP increases in future biennia, we would expect consumption to decrease faster than the national average once again. Also, consumption will decline faster still if additional funding is achieved by raising cigarette taxes.



The Bottom Line? The Tobacco Prevention and Education Program is a sound investment in reducing the burden of tobacco on Oregonians.

References:

¹ Oregon General Election, November 5, 1996 - State Measure Number 44: Increases, Adds Cigarette and Tobacco Taxes; Changes Tax Revenue Distribution.

² Centers for Disease Control and Prevention (1999). Best Practices for Comprehensive Tobacco Control Programs. Atlanta GA: U.S. Department of Health and Human Services.

³ Pierce JP, Gilpin EA, Emery SL, White MM, Rosbrook B, Berry CC, Farkas AJ (1998). Has the California Tobacco Control Program Reduced Smoking? *Journal of the American Medical Association*, 280(10), 893-9.



SMOKEFREE WORKPLACES WORK IN OREGON

"No one should be required to breathe unhealthy air as a condition of employment. Yet for the 35,000 Oregonians who work in places where indoor smoking is allowed, inhaling toxic fumes is an unavoidable part of the job."

— Susan Allan, M.D., J.D., M.P.H.

Oregon Department of Human Services, Public Health Director

In May of 2006, the U.S. Surgeon General issued a report on The Health Consequences of Involuntary Exposure to Tobacco Smoke. In the report, both Surgeon General Carmona and U.S. Secretary of Health and Human Services, Michael Leavitt remind the American public about the dangers of secondhand smoke and call for a renewed effort to control this serious health hazard.

"Despite the great progress that has been made, involuntary exposure to secondhand smoke remains a serious health hazard that can be prevented by making homes, workplaces and public places completely smokefree."

— Michael O. Leavitt,

U.S. Secretary of Health and Human Services

Oregon has reduced secondhand smoke exposure:

- Over 83% of households say that no one is allowed to smoke anywhere in their home.
- Over 95% of employees are protected from secondhand smoke exposure at work by the Oregon Indoor Clean Air Act.

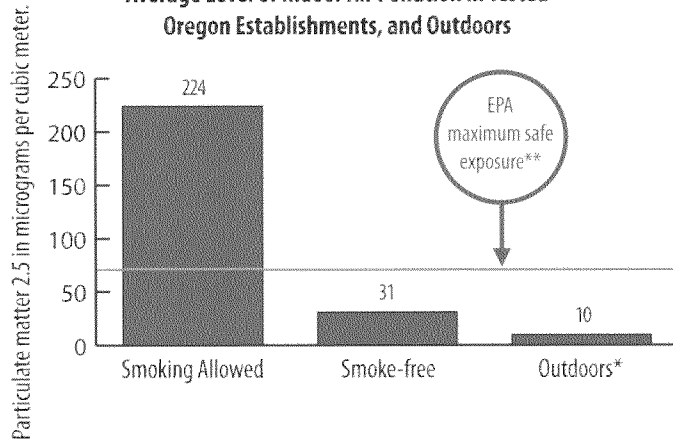


However, over 35,000 Oregon workers are still exposed to secondhand smoke at work because they work in bar areas of restaurants or taverns. These areas are currently exempt from Oregon's Indoor Clean Air Act. These employees, who suffer exposure to secondhand smoke as a function of their jobs, are often exposed to extreme levels of secondhand smoke. A study conducted in Oregon found that, on average, the level of particulate matter in the air in bars that allow smoking was 7 times higher than non-smoking bars. Moreover, in many situations bar workers were exposed to levels of particulate matter that were many times the level of exposure deemed safe by the Environmental Protection Agency.

Secondhand smoke is a serious health hazard and no one should be required to be exposed to it in order to keep their job. Most workers in Oregon are protected by law. ALL workers in 17 states, including Washington State and California, are protected by law. ALL workers in Oregon deserve a smokefree workplace. It is time for Oregon to require all workplaces and public places to be smokefree.



Average Level of Indoor Air Pollution in Tested Oregon Establishments, and Outdoors



*2006 Average for Oregon (Washington, Jackson, Multnomah, and Lane Counties).
2006 US EPA AirData report generated April 7, 2006 from
<http://www.epa.gov/air/data/>

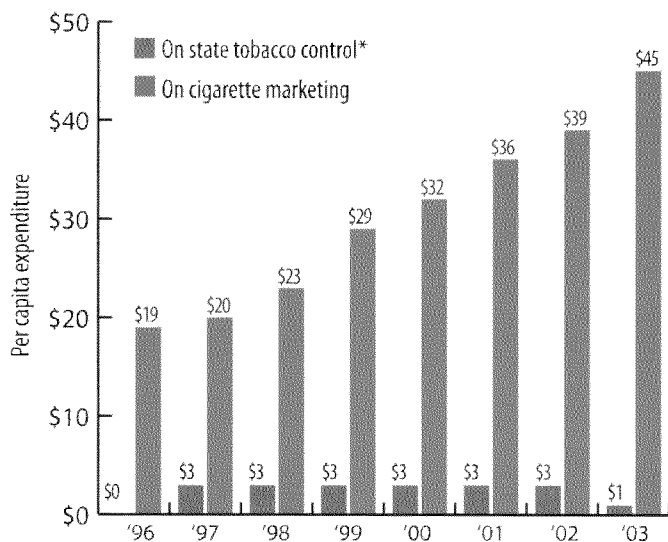
**EPA maximum safe 24-hour exposure (65mg/m3)

PUBLIC EDUCATION AND AWARENESS

The Challenge

Tobacco companies spent \$162.7 million marketing tobacco in Oregon in 2003.¹ As the graph below shows, this amounted to \$45 for every man, woman and child in the state. In comparison, Oregon spent \$3.45 million, or somewhat less than \$1 for every man, woman and child (per capita), on tobacco prevention and education. And while they say they have changed, much of this tobacco industry marketing is aimed at Oregon's kids.

Per Capita Cigarette Marketing and State Tobacco Control Expenditures in Oregon, 1996-2003



*All state spending on preventing smoking and helping people quit.

Young people are affected by advertising

In 1998 the Master Settlement Agreement (MSA) barred advertising to children, but:

- Since the MSA, there has been a 33% increase in tobacco ads in magazines with high youth readership²
- 83% of kids who smoke, smoke the three most heavily advertised brands - Marlboro, Camel and Newport³

Because of this evidence, TPEP runs a strong anti-tobacco media campaign as an integral part of Oregon's comprehensive program. Since TPEP began, youth smoking has decreased by 59% in 8th graders and 46% in 11th graders. Anti-tobacco mass media campaigns, combined with other interventions, effectively reduce tobacco use⁴ and prevent youth from starting to use tobacco.

The Tobacco Prevention and Education Program conducts a statewide mass media campaign concentrating on the following messages:

- 1) Secondhand smoke is dangerous.
- 2) There is help to quit using tobacco.

Along with advertisements on television, radio and in newspapers statewide, TPEP conducts media trainings that help grantees and partners learn how to work with the media to place stories and editorials in their local papers or to broadcast them on local radio and television stations. From July 2005 through December 2006, local programs, with help from TPEP, generated over 291 stories statewide.

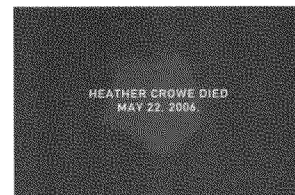
In the spring of 2006, the American Cancer Society partnered with TPEP to conduct an air monitoring study in bars and restaurants with bars. After training in media relations and

media advocacy, coalition members all across the state generated coverage of the study in every major media market in Oregon. Over 14 stories appeared in print and on radio including the following:



At the same time, TPEP began airing new advertisements concentrating on the dangers of secondhand smoke exposure. One features Trish Dulka, a young woman who lost her father, a non-smoker, to lung cancer due to his exposure to secondhand smoke in his workplace.

Another advertisement focuses on Heather Crowe (below), a woman fighting lung cancer. Heather never smoked, but she worked in a restaurant to support herself and her daughter and had to breathe secondhand smoke every day on her job.



With additional funding, TPEP would continue effective trainings, outreach and paid advertising on our two main messages; with additional funding, TPEP could also design a campaign specifically targeted to youth. TPEP would also be able to offer more advertising with messages specific to audiences experiencing tobacco use disparities.

To counter tobacco industry marketing and to give our children a fighting chance of staying tobacco-free, TPEP needs a strong public education and awareness campaign. Public awareness and education is an important part of a comprehensive approach to tobacco control – school programs, community-based programs, help to quit and good smokefree policies.

References:

- ¹ Campaign for Tobacco-Free Kids: The Toll of Tobacco in Oregon, 2005
- ² Bowker D, Hamilton M. (2000). Cigarette Advertising Expenditures Before and After the Master Settlement Agreement: Preliminary Findings. <http://www.state.ma.us/dph/mtcp/report/mag.htm>
- ³ Substance Abuse and Mental Health Services Administration, (SAMHSA), HHS, Results from the 2005 National Survey on Drug Use and Health (NSDUH): Detailed Tables
- ⁴ Tobacco. Guide to Community Preventive Services Website. Centers for Disease Control and Prevention. www.thecommunityguide.org/tobacco/. Last updated: 06/14/2005. Accessed on: 10/21/2005.

LOCAL PROGRAMS AT WORK

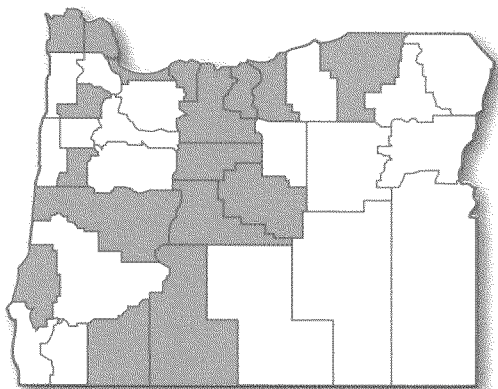
The tobacco industry spends \$162.7 million per year to reach into every county in Oregon to promote and sell its products. From free tobacco give-aways at rodeos to sponsorships of street basketball tournaments, children and adults are bombarded with pro-tobacco messages.

Oregon's Tobacco Prevention and Education Program funds local tobacco control programs to engage Oregonians in their homes, workplaces, schools, places of worship and entertainment, civic organizations and other public places. These local tobacco control programs are located at county health departments throughout Oregon. These programs are able to counter tobacco marketing where it matters the most—in the communities, the schools and the workplaces where people live, work and play.

County health departments work with tobacco prevention coalitions to:

- Promote smokefree environments and communities
- Reduce the influence of tobacco product marketing
- Encourage tobacco users to quit

Because of limited funding, TPEP is only able to fund 17 county programs. These programs have engaged their communities and challenged them to become healthier through preventing tobacco use. And, they have seen real results from their endeavors. In order to reduce tobacco-related illness and death, funding should be extended to every county in Oregon.



Shaded counties have funded programs.

What's Going On...

- Teens in Clatsop County visited tobacco retailers to educate them about not selling tobacco to minors.
- Jefferson County adopted a smokefree entrance policy for county buildings and is working to promote and implement smokefree outdoor events in the county. The county is also educating tobacco retailers about youth access laws and encouraging retailers to reduce tobacco advertising.
- The Jackson County Tobacco Prevention & Education Program worked with Asante Health System to develop and implement a tobacco-free hospital campus policy at Rogue Valley Medical Center and Three Rivers Hospital.
- Multnomah County has developed a program to help landlords and rental property managers offer more smokefree housing.
- The Deschutes County Tobacco-free Alliance was instrumental in helping the Deschutes County Fair and Expo Center develop and implement a 100% smokefree campus policy.
- Tobacco retailers in Crook County receive an educational visit with a reminder about the importance of not selling tobacco to youth.
- The Jackson County Tobacco Prevention & Education Program serves as an active community partner to Medford and Eagle Point School Districts in helping them to receive Healthy Kids Learn Better funding in order to improve their K-12 tobacco prevention education and policies.
- The Wasco County Prevention Coalition is assisting School District #21 in The Dalles to communicate the new policy that restricts smoking within 100 feet of all school property.
- Lane County collaborated with the county's two major medical centers to go tobacco-free campus-wide (effective November 2006 at PeaceHealth and July 2007 at McKenzie Willamette). The county and local coalition continues to enforce and strengthen the Eugene Clean Indoor Air Ordinance, which protects all workers from secondhand smoke.

In our Community...

"The Tobacco-free Coalition of Klamath County has been working hard towards raising awareness about the danger of secondhand smoke in our community. We began by assessing the policies in place at school districts, the community college, the local university, and exempted workplaces. With the assessment the coalition determined that the community is concerned about tobacco use and secondhand smoke."

— Christa Runnels, Klamath County Health Department

"We are working to reduce the amount of "point of purchase" advertising of tobacco products in Pendleton stores. We selected this activity because advertising at retail locations is highly visible and one of the main ways youth are exposed to pro-tobacco messages. Our goal this year was to have students send out letters and, when possible, visit retailers in person to ask them to reduce the amount of advertising in their stores. This way, the students, the retailers and the public would be educated about the pervasiveness of tobacco advertising."

— Janet Jones, Umatilla County Health Department

"We worked to ensure that the skate-park is tobacco-free; we want the kids in our community to have positive tobacco-free activities."

— Mary Gale-Woods, Wasco-Sherman Health Department

"The Benton County Tobacco Prevention Program and Coalition worked with all our school districts in Benton County to help them adopt strong comprehensive policies around tobacco use and presence at school. Research has shown that solid tobacco-free schools policies that are well enforced decrease the percentage of students who smoke."

— Stacey Edwards, Benton County Health Department

"By educating retailers and clerks about the Oregon tobacco laws regarding selling tobacco to youth and then reminding them through a Reward and Reminder visit, we expect to see a decrease in tobacco products sold to minors."

— Jane Stevenson, Jackson County Health Department



KEEPING KIDS TOBACCO-FREE

"Nicotine addiction begins when most tobacco users are teenagers so let's call this what it really is: a pediatric issue."

— David Kessler M.D.,

Former Commissioner, Food and Drug Administration

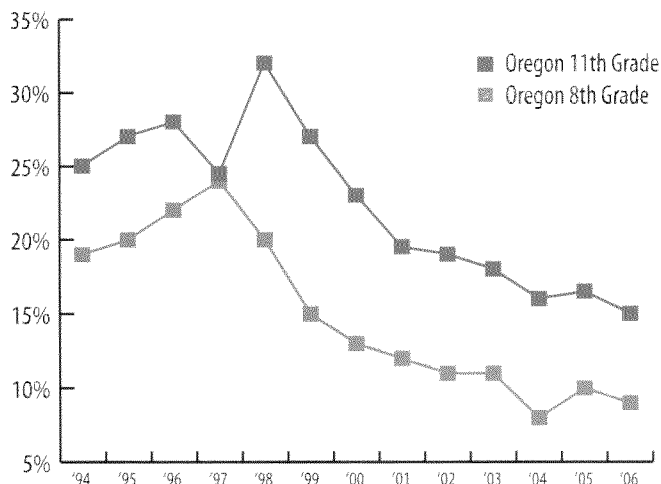
Nearly 90% of smokers begin at or before the age of 18.¹

Too Many of Our Youth Smoke

In Oregon, 48 kids smoke their first cigarette every single day. A year later, 20 of those kids will still be smoking. Among the 20 youth still smoking, one out of three will die prematurely due to tobacco-related causes. More immediately, tobacco use negatively affects students' academic performance and their physical and mental health.

As demonstrated in the graph, the prevalence of tobacco use by Oregon's 8th and 11th graders continues to decrease slightly. However, the steep declines that occurred when TPEP school programs were being implemented between 1998 and 2003 have slowed. This is a result of the severe budget cuts that occurred during 2003 when TPEP lost funding for comprehensive school-based tobacco prevention programs.

Percentage of Oregon 8th and 11th graders who smoke cigarettes, 1994-2006



Comprehensive Tobacco Programs Reduce Youth Initiation

Reducing youth tobacco use requires widespread efforts to counteract tobacco industry promotion of tobacco. Beginning in 1998, Oregon's overall youth prevalence declined at a rate faster than the rest of the nation. Specifically, the rate of smoking declined more steeply in school districts with TPEP-funded comprehensive school-based programs than it did in non-funded school districts.² Comprehensive school programs are one successful component of prevention efforts critical to reducing tobacco use among Oregon's youth. A total prevention plan includes:

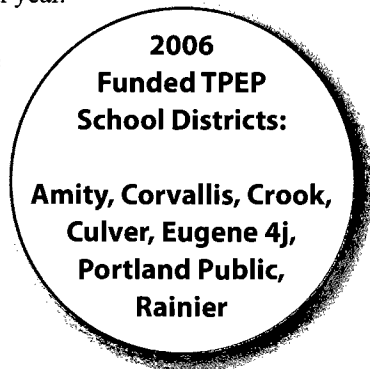
- Tobacco taxes that make it more expensive for youth to purchase tobacco products.
- Anti-tobacco media campaigns that are effective in helping smokers quit³ and in preventing youth from starting to use tobacco.
- Comprehensive school programs that implement tobacco-free school policy, research-based tobacco prevention curriculum, and on-going tobacco prevention education for district employees.
- Community programs that engage parents, policy makers, and community groups in tobacco prevention and education.



Funding Makes a Difference

Despite limited resources in 2006, Oregon TPEP increased funding for school-based tobacco prevention and education programs by over 200% to \$750,000. As a result, approximately 78,300 students (14% of students in Oregon) in seven Oregon school districts will benefit from school-based tobacco prevention and education programs during the 2006-2007 school year.

In 2007-2009, TPEP hopes to increase funding to extend comprehensive tobacco prevention and education school programs to 220,000 Oregon students (40% of all students). Additionally, a strong public education and awareness campaign is an essential component to a comprehensive tobacco program. In Oregon, we know implementing a comprehensive TPEP program will decrease tobacco use among youth and contribute to achieving national goals.



References:

¹ SAMHSA, HHS Calculated based on data in 2005 National Household Survey on Drug Use and Health, <http://www.oas.samhsa.gov/nsduh.htm>

² CDC, MMWR, Effectiveness of School-Based Programs as a Component of a Statewide Tobacco Control Initiative — Oregon, 1999–2000.

³ Tobacco. Guide to Community Preventive Services Website. Centers for Disease Control and Prevention. www.thecommunityguide.org/tobacco/. Last updated: 06/14/2005. Accessed on: 10/21/2005.

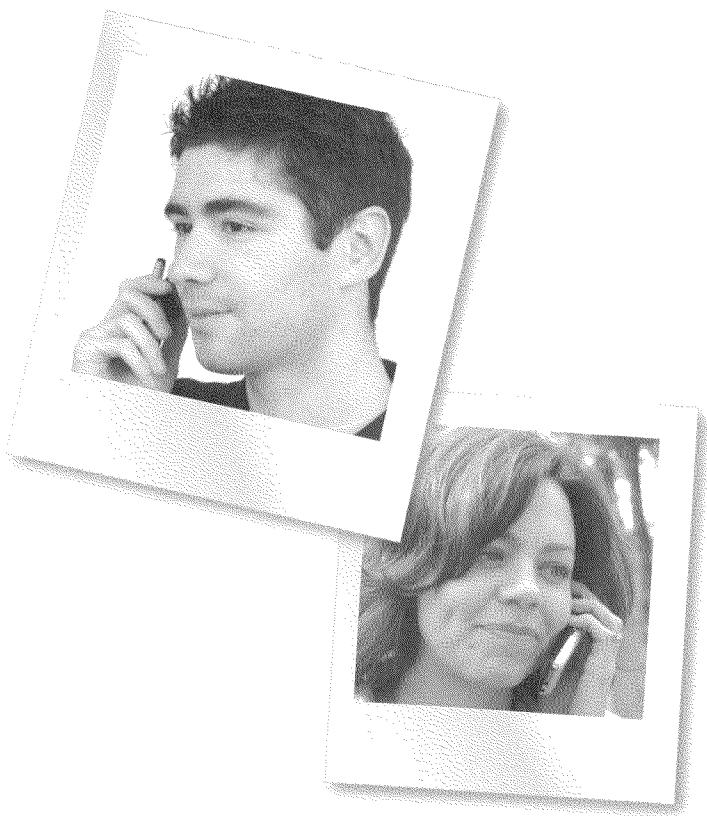
HELPING SMOKERS QUIT

13,000 Oregonians Helped to Quit – 2005-2007

The Oregon Tobacco Quit Line is one of the best tools we have to help the over 76% of smokers in Oregon who want to quit. People who call the Quit Line receive tips and coaching to make quitting easier. They may also receive nicotine replacement therapy (NRT) patches.

Help helps. Even one coaching call from the Quit Line more than doubles a person's chances of quitting. When people try to quit without help, only 3-5% of them succeed.¹ With the Oregon Tobacco Quit Line, over 16% of callers were still not using tobacco one month after receiving only one coaching call.²

The Quit Line is available to everyone, regardless of age, income or insurance status. In fact, TPEP offers extra services to youth and people who are uninsured. If insurance benefits are available to the caller, the Quit Line connects them to their health plan or employer for additional help.



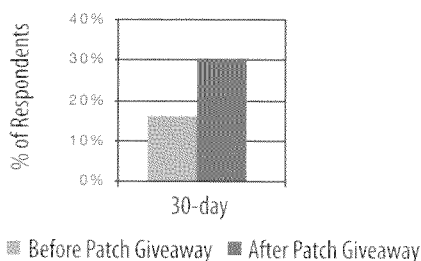
The Great Oregon Patch Giveaway

Throughout 2005-2007, TPEP continued the successful Great Oregon Patch Giveaway. TPEP provides two weeks' worth of NRT to all callers and encourages them to seek the remainder of a course of NRT (usually eight weeks' worth) from their health plan or employer, or by saving the money they would have normally spent on tobacco.

This program has been very successful. During the Patch Giveaway:

- 5,000 Oregonians called the Quit Line in the first week
- 7,460 tobacco users received Quit Line services in the first three months
- 30% of callers surveyed afterward had not used tobacco for one or more months – compared to 16% pre-Initiative
- 90% of callers surveyed had made a serious attempt to quit
- Six health plans made it easier for members to receive counseling or medication

Percent tobacco-free for the past 30 days* before and after the Patch Giveaway



*As measured six months after the 1st call to the Quit Line.

Based on the results of the Patch Giveaway, it is a TPEP priority to offer tobacco users the NRT. With additional

funding, TPEP would be able to offer two weeks' worth of NRT consistently to all callers, effectively doubling the quit rates of tobacco users who call the Quit Line. Additional funding would also enable TPEP to reach out to health care providers, giving them the tools they need to help their patients to quit.

Work remains to be done

In Oregon, 76% of smokers want to quit. TPEP, however, only has the resources to serve approximately 2% of the tobacco users in the state through the Oregon Tobacco Quit Line.

In 2007-2009, TPEP hopes to have the resources to offer more Oregonians this valuable assistance. With more funding, TPEP could reach more than twice the number of tobacco users served by the Quit Line last year – almost 27,000 people!

Quitting tobacco is difficult because nicotine is very addictive. According to former U.S. Surgeon General, Dr. C. Everett Koop, nicotine is as addictive as heroin or cocaine.³ Along with help such as coaching and medication, it takes encouragement from many sources to achieve quitting

success. Strong local tobacco prevention programs, school programs, smokefree policies, advertising about the dangers of tobacco, cessation benefits and Oregon's Quit Line are all necessary to help support quitting for Oregonians addicted to nicotine.



"Step Up!" and the "Make It Your Business" Campaign

Helping people quit needs to be a community effort. In Oregon, we are lucky to have two nationally recognized programs working at the community level with involvement from many different partners.

Winner
Outstanding Individual
Leadership in
Tobacco Control:

Gwen Dayton
Oregon Association of Hospitals and
Health Systems

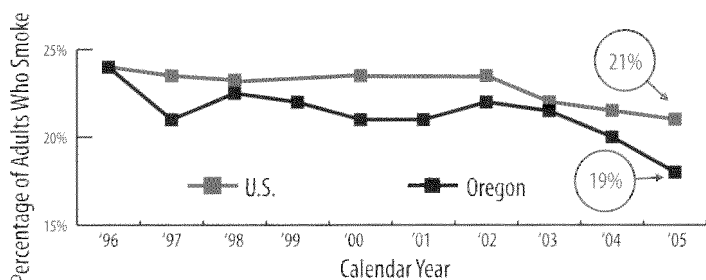
"The Oregon Association of Hospitals & Health Systems, whose members have a first-hand understanding of how nicotine addiction impacts health, is proud to be working with hospitals to curb smoking among patients, employees, and community members."

The **Step Up!** Campaign, a program of the Oregon Association of Hospitals and Health Systems, the Tobacco-free Coalition of Oregon (TOFCO) and TPEP, works with hospitals as leaders in their communities. Hospitals across the state provide improved quitting resources to patients and employees and develop policies that make campuses smokefree.

What they learn through this process is shared with other businesses in their communities.

The **Make It Your Business** Campaign, a program of TOFCO, works through insurance purchasers to make cessation benefits a part of every standard insurance package. This successful program aims to make sure every employee in Oregon has access to good cessation resources. Helping employees quit promotes employee health and saves money for the employer.

Percentage of Oregon and U.S. Adults Who Smoke, 1996-2005



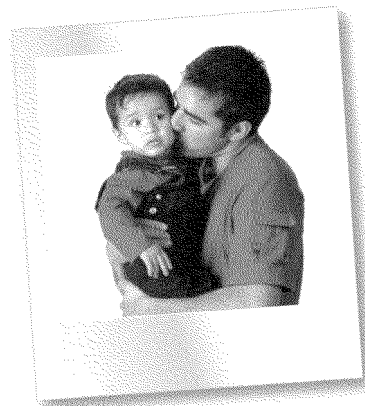
References:

¹ Telephone Quitlines: A Resource for Development, Implementation and Evaluation" (Department of Health and Human Services, September, 2004) www.cdc.gov/tobacco/quit/Quitlines/chapter1.pdf

² Bush, T. et al. Oregon Tobacco Quit Line: The Oregon Free Patch Initiative: Six-Month Report 2005 Free and Clear, Inc.

³ "The Health Consequences of Smoking-A Report of the Surgeon General" (1998), U.S. Dept.

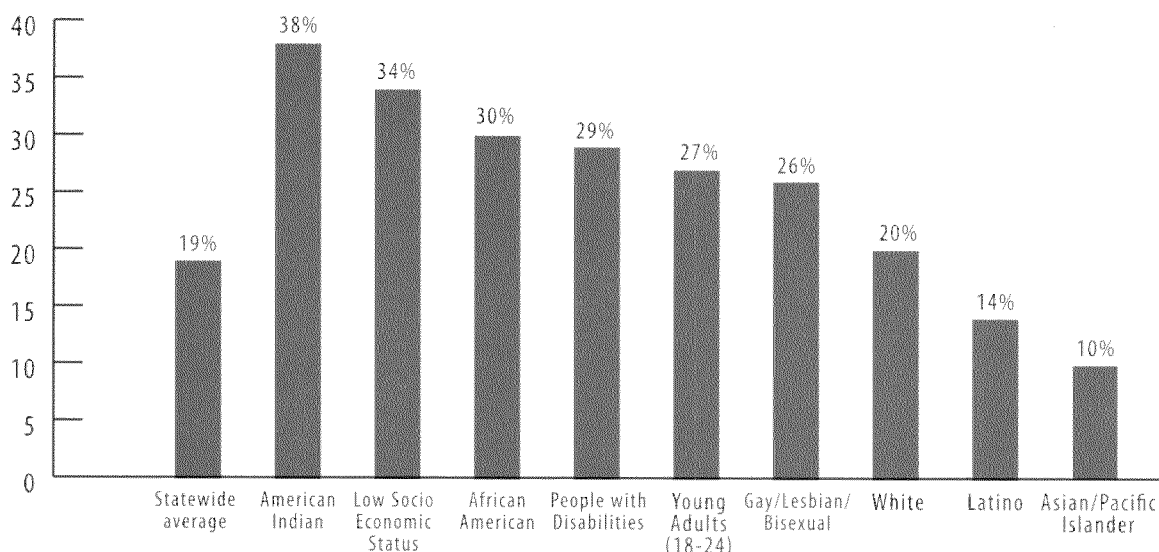
of Health and Human Services, Public Health Services, Centers for Disease Control, Center for Health Promotion and Education, Office on Smoking and Health, Rockville, Maryland, 20857



REDUCING TOBACCO USE IN DIVERSE COMMUNITIES

In Oregon, the burden of tobacco is not shared equally. Across all races and ethnicities, smoking is more common among people who have lower incomes or less education. Higher smoking rates lead to higher rates of disease and premature death.

Percentage of Adults Who Smoke* Among Selected Groups



* Oregon Behavioral Risk Factor Surveillance System (2005, except data by race/ethnicity 2004-05).

Except for young adults, estimates are age-adjusted to the year 2000 standard population. Estimates by race are among non-Hispanics.



TPEP funds culturally appropriate programs targeted to specific populations. For example, TPEP provides funds to the Klamath Tribe for a program designed to decrease tobacco use by American Indians, while respecting the sacred use of tobacco in their culture.

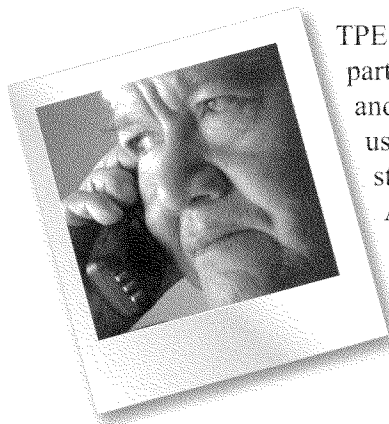
Certain Oregonians are over-represented in workplaces where secondhand smoke exposure still exists. For example, Latinos are 31% more likely to work at workplaces exempt from Oregon's smokefree workplace law than the general population.

An effective tobacco prevention program needs to reach, engage, and protect all Oregonians. Leadership from diverse communities is needed to help the Tobacco Prevention and Education Program plan and implement strategies to eliminate tobacco disparities.

With additional program funds, data collection and analysis can be expanded to better reflect the diversity of Oregonians and their different needs related to tobacco prevention and cessation. More funding will allow programs to expand their reach, intensity, and extent of cultural responsiveness – making sure the benefits of tobacco prevention reach all Oregonians.

Our Tobacco Disparities Advisory Council volunteers:

- International Center for Traditional Childbearing
- Multnomah County Healthy Birth Initiative
- Native People's Circle of Hope
- Northwest Health Foundation
- Northwest Portland Area Indian Health Board
- OHSU Cancer Institute
- OHSU Oregon Office on Disability and Health
- OHSU Smoking Cessation Center
- Oregon Tobacco-Free College Network
- Portland State University, School of Community Health
- Tobacco Free-Coalition of Oregon
- Umatilla County Public Health



TPEP collaborates with community partners to identify disparities and help eliminate high tobacco use in communities across the state. The Tobacco Disparities Advisory Council is a dynamic group of volunteers that provide leadership and consultation on how best to address disparities.

"It is imperative we stay committed to involving members of communities experiencing disparities in directing our tobacco prevention efforts. Such strategies will not only increase the effectiveness of programs and assure our efforts meet the unique needs of these communities, but will also support our communities in sustaining and leveraging these efforts."

*— David Rebanal, Northwest Health Foundation
- Member, Tobacco Disparities Advisory Council*

