

# **ANNOTATED MINUTES**

Thursday, January 23, 2003 - 9:30 AM  
Multnomah Building, First Floor Commissioners Boardroom 100  
501 SE Hawthorne Boulevard, Portland

## **REGULAR MEETING**

*Chair Diane Linn convened the meeting at 9:37 a.m., with Vice-Chair Maria Rojo de Steffey and Commissioners Serena Cruz and Lonnie Roberts present, and Commissioner Lisa Naito participating via speakerphone.*

### **CONSENT CALENDAR**

***UPON MOTION OF COMMISSIONER CRUZ,  
SECONDED BY COMMISSIONER ROJO, CONSENT  
CALENDAR ITEM C-1 WAS UNANIMOUSLY  
APPROVED.***

### **DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES**

- C-1 Amendment 1 to Intergovernmental Revenue Agreement 0011062 with the State of Oregon, Department of Transportation, Providing State Matching Funds for Construction Phase and Allowing County to be Reimbursed Additional Funds for Construction Engineering Support for the Burnside Bridge Project

### **REGULAR AGENDA** **PUBLIC COMMENT**

Opportunity for Public Comment on Non-Agenda Matters. Testimony is Limited to Three Minutes per Person.

***CHAIR LINN READ COMMENTS OF LADDIE  
READ IN SUPPORT OF MEASURE 28. WILLIAM  
WHEELER AND SHAUN TODD COMMENTED IN  
SUPPORT OF FUNDING FOR WALK-IN CLINIC AT  
CASCADIA BEHAVIORAL CENTER. ALLYSON  
LINFOOT AND DEBORAH BOUMANN READ  
LETTER FROM CAMHSA CHAIR MAGGIE  
MASHIA ON BEHALF OF THE COUNTY  
BEHAVIORAL HEALTH ADVISORY COUNCIL***

**CHILD AND ADOLESCENT MENTAL HEALTH AND SUBSTANCE ABUSE ADVISORY COMMITTEE, IN SUPPORT OF FUNDING FOR CHILDREN'S MENTAL HEALTH SERVICES, INCLUDING THE CHILDREN'S SYSTEM OF CARE COORDINATOR AND FAMILY INVOLVEMENT COORDINATOR POSITIONS. BETH KAYE COMMENTED IN SUPPORT OF THE CITY OF GRESHAM PROPOSED ROCKWOOD URBAN RENEWAL PROJECT.**

**DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES**

- R-1 First Reading and Possible Adoption of an ORDINANCE Amending County Land Use Code, Plans and Maps to Adopt Portland's Recent Land Use Code, Plan and Map Revisions in Compliance with Metro's Functional Plan, and Declaring an Emergency

**ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER ROJO MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF FIRST READING AND ADOPTION. SUSAN MUIR EXPLANATION. NO ONE WISHED TO TESTIFY. ORDINANCE 1005 UNANIMOUSLY ADOPTED.**

- R-2 First Reading of an ORDINANCE Repealing Ordinance 952 to Delete Real Property Compensation Law (Ballot Measure 7) Subchapter from the Multnomah County Code

**ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER CRUZ MOVED AND COMMISSIONER ROJO SECONDED, APPROVAL OF FIRST READING. SUSAN MUIR EXPLANATION. NO ONE WISHED TO TESTIFY. FIRST READING UNANIMOUSLY APPROVED. SECOND READING THURSDAY, JANUARY 30, 2003.**

- R-3 First Amendment to Retail Lease with Subway Real Estate Corporation for a Subway Restaurant in the North Portland Clinic Building at 9000 N Lombard Street

**COMMISSIONER CRUZ MOVED AND  
COMMISSIONER ROBERTS SECONDED,  
APPROVAL OF R-3. BOB OBERST EXPLANATION.  
LEASE AMENDMENT UNANIMOUSLY  
APPROVED.**

**NON-DEPARTMENTAL**

- R-4 RESOLUTION Confirming the Interim Designations for Multnomah County Chair, Multnomah County Commissioner District 2, Multnomah County Auditor and Multnomah County Sheriff, in the Event of a Vacancy**

**COMMISSIONER CRUZ MOVED AND  
COMMISSIONER ROBERTS SECONDED,  
APPROVAL OF R-4. COMMISSIONER SERENA  
CRUZ COMMENTED IN SUPPORT OF HER  
DESIGNEE CHARLES JORDON. AUDITOR  
SUZANNE FLYNN INTRODUCED AND  
COMMENTED IN SUPPORT OF HER DESIGNEE  
LAVONNE GRIFFIN-VALADE. SHERIFF BERNIE  
GIUSTO INTRODUCED AND COMMENTED IN  
SUPPORT OF HIS DESIGNEE CHIEF DEPUTY  
LEE GRAHAM. CHAIR LINN COMMENTED IN  
SUPPORT OF HER DESIGNEE FORMER  
GOVERNOR BARBARA ROBERTS. RESOLUTION  
03-014 UNANIMOUSLY ADOPTED.**

- R-5 RESOLUTION Consenting to Appointment of Patricia Pate as Director of the Department of County Human Services and Appointing Patricia Pate as County Financial Assistance Administrator for the State of Oregon Department of Human Services, 2001-2003 County Financial Assistance Intergovernmental Revenue Agreement 0210007**

**COMMISSIONER ROJO MOVED AND  
COMMISSIONER CRUZ SECONDED, APPROVAL  
OF R-5. JOHN BALL INTRODUCED PATRICIA  
PATE AND EXPLANATION IN SUPPORT OF HER  
APPOINTMENT. MS. PATE COMMENTED IN  
APPRECIATION. BOARD COMMENTED IN  
APPRECIATION AND WELCOME OF MS. PATE.  
RESOLUTION 03-015 UNANIMOUSLY ADOPTED.  
CHAIR LINN THANKED JOHN BALL HIS  
LEADERSHIP DURING HIS INTERIM**

***DIRECTORSHIP OF THE DEPARTMENT AND  
WELCOMED HIM BACK TO HIS CHIEF  
OPERATING OFFICER POSITION ON HER  
STAFF.***

*Commissioner Lisa Naito was excused at 10:10 a.m.*

- R-6 Briefing on the City of Gresham Proposed Rockwood Urban Renewal Area and Plan. Presented by Duke Shepard, Max Talbot, Jeff Tashman, Andree Tremoulet and Deb Meihoff.

***MAYOR CHARLES BECKER, DEB MEIHOFF,  
JEFF TASHMAN AND MAX TALBOT  
PRESENTATIONS AND RESPONSE TO BOARD  
QUESTIONS AND DISCUSSION. IN RESPONSE  
TO A QUESTION OF COMMISSIONER CRUZ,  
DAVE BOYER ADVISED HE FEELS THE COUNTY  
WOULD BENEFIT FROM PARTNERING WITH  
GRESHAM IN THIS VENTURE. CHAIR LINN  
COMMENTS IN SUPPORT, ADVISING SHE  
INTENDS TO SUBMIT A RESOLUTION IN  
SUPPORT OF THE PROJECT FOR BOARD  
CONSIDERATION.***

**HEALTH DEPARTMENT**

- R-7 Briefing Update on Access to Care Environment and Key Strategies; Followed by Consideration of Approval of an Intergovernmental Cooperative Agreement Tri-County Health Care Partnership with Clackamas and Washington Counties, Providing a Process Leading to the Establishment of an Enduring Tri-County Safety Net for Health Care Access to Low Income Uninsured People Living in the Tri-County Area. Presented by Lillian Shirley and Michael Sorensen.

***LILLIAN SHIRLEY AND MICHAEL SORENSEN  
PRESENTATION AND RESPONSE TO BOARD  
QUESTIONS AND DISCUSSION REGARDING TRI-  
COUNTY COMMUNITIES IN CHARGE  
STATISTICS ON PROJECTED NUMBER OF LOW-  
INCOME AND UNINSURED PEOPLE, IMPACT OF  
LEGISLATIVE ACTIONS AND CHANGES IN THE  
OREGON HEALTH PLAN, AND MULTNOMAH***



**COUNTY HEALTH DEPARTMENT ACCESS STRATEGIES.**

**FOLLOWING EXPLANATION OF LILLIAN SHIRLEY AND UPON MOTION OF COMMISSIONER CRUZ, SECONDED BY COMMISSIONER ROBERTS, THE INTERGOVERNMENTAL COOPERATIVE AGREEMENT WAS UNANIMOUSLY APPROVED, WITH COMMISSIONERS CRUZ, ROBERTS, ROJO AND LINN VOTING AYE. CHAIR LINN DIRECTED STAFF TO KEEP BOARD INFORMED ON STATUS OF PARTNERSHIP AND RELATED DEVELOPMENTS.**

- R-8 Slavic Coalition Update. Presented by Pavel Yuzko, Chair, Slavic Coalition of Oregon/IRCO; Victoria Libov, Manager, MSW Employment and Training Services - IRCO; Andrey Tkachenko, Co-Chair, Slavic Coalition of Oregon/IRCO; and Anne Valsamakis, Girls Initiative Network.

**PAVEL YUZKO, ANDREY TKACHENKO, PASTOR ILYA GLOBAK AND ANNE VALSAMAKIS PRESENTATIONS AND REQUEST FOR BOARD SUPPORT IN COALITION'S COMMUNITY BUILDING EFFORTS; INCLUDING A COMPREHENSIVE NEEDS AND ASSETS ASSESSMENT SIMILAR TO THE COUNTY SPONSORED SALUD ADELENTE; A RUSSIAN SPEAKING ADVOCATE IN COUNTY POLICY AND PLANNING ARENA SUCH AS THE SCHOOL AGED POLICY FRAMEWORK DISCUSSIONS; AND CENTRALIZED SERVICES. CHAIR LINN STATED THAT THE COALITION HAS A VOICE IN THE COUNTY; AND ADVISED SHE WANTS TO HEAR HOW THE VARIOUS COUNTY SERVICES ARE MEETING THE COMMUNITY'S NEEDS AND WILL DO HER BEST TO WORK WITH THE COALITION. CHAIR LINN ADVISED THE PRESENTERS TO CONTACT ANDY SMITH IN HER OFFICE. MR. YUZKO SANG PART OF A UKRAINIAN FOLK SONG AND MS. VALSAMAKIS GAVE THE BOARD AND AUDIENCE CHOCOLATES.**

**NON-DEPARTMENTAL**

B-1 Briefing on the Risk Management Workplace Safety System Audit.  
Presented by Multnomah County Auditor Suzanne Flynn and Judith  
DeVilliers.

***SUZANNE FLYNN, WITH JUDITH DEVILLIERS,  
PRESENTATION AND RESPONSE TO BOARD  
COMMENTS. BUSINESS AND COMMUNITY  
SERVICES DIRECTOR CECILIA JOHNSON  
COMMENTS IN RESPONSE. CHAIR LINN  
COMMENTS IN APPRECIATION.***

R-9 2003 Legislative Update with Gina Mattioda and Stephanie Soden.

***GINA MATTIODA, STEPHANIE AND MATT NICE  
PRESENTATION AND DISCUSSION ON  
ESTIMATED IMPACT OF EMERGENCY BOARD,  
DECEMBER ACROSS THE BOARD AND  
MEASURE 28 CUTS TO MULTNOMAH COUNTY  
SERVICES.***

*There being no further business, the meeting was adjourned at 11:49 a.m.*

BOARD CLERK FOR MULTNOMAH COUNTY, OREGON

*Deborah L. Bogstad*



**Multnomah County Oregon**

## **Board of Commissioners & Agenda**

*connecting citizens with information and services*

### **BOARD OF COMMISSIONERS**

**Diane Linn, Chair**

501 SE Hawthorne Boulevard, Suite 600  
Portland, Or 97214

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

Email: [mult.chair@co.multnomah.or.us](mailto:mult.chair@co.multnomah.or.us)

**Maria Rojo de Steffey,**

**Commission Dist. 1**

501 SE Hawthorne Boulevard, Suite 600  
Portland, Or 97214

Phone: (503) 988-5220 FAX (503) 988-5440

Email: [district1.@co.multnomah.or.us](mailto:district1.@co.multnomah.or.us)

**Serena Cruz, Commission Dist. 2**

501 SE Hawthorne Boulevard, Suite 600  
Portland, Or 97214

Phone: (503) 988-5219 FAX (503) 988-5440

Email: [serena@co.multnomah.or.us](mailto:serena@co.multnomah.or.us)

**Lisa Naito, Commission Dist. 3**

501 SE Hawthorne Boulevard, Suite 600  
Portland, Or 97214

Phone: (503) 988-5217 FAX (503) 988-5262

Email: [lisa.h.naito@co.multnomah.or.us](mailto:lisa.h.naito@co.multnomah.or.us)

**Lonnie Roberts, Commission Dist. 4**

501 SE Hawthorne Boulevard, Suite 600  
Portland, Or 97214

Phone: (503) 988-5213 FAX (503) 988-5262

Email: [lonnie.j.roberts@co.multnomah.or.us](mailto:lonnie.j.roberts@co.multnomah.or.us)

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**JANUARY 23, 2003**

### **BOARD MEETING**

#### **FASTLOOK AGENDA ITEMS OF INTEREST**

Pg 2	9:30 a.m. ORDINANCE Amending County Code, Plans and Maps to Adopt Portland Code, Plan and Map Revisions to Comply with Metro Functional Plan
Pg 2	9:35 a.m. ORDINANCE Repealing Ord. 952 to Delete Real Property Compensation Law (Ballot Measure 7) Subchapter from Code
Pg 3	9:45 a.m. Briefing on the City of Gresham Rockwood Urban Renewal Area and Plan
Pg 3	10:30 a.m. Update on Access to Care Environment and Key Strategies; Followed by Consideration of Approval of an Intergovernmental Cooperative Agreement Tri-County Health Care Partnership with Clackamas and Washington Counties

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

Friday, 11:00 PM, Channel 30

Saturday, 10:00 AM, Channel 30

Sunday, 11:00 AM, Channel 30

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Television

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Multnomah Building, First Floor Commissioners Boardroom 100  
501 SE Hawthorne Boulevard, Portland

## **REGULAR MEETING**

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

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

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

Opportunity for Public Comment on Non-Agenda Matters. Testimony is Limited to Three Minutes per Person.

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- R-1 First Reading and Possible Adoption of an ORDINANCE Amending County Land Use Code, Plans and Maps to Adopt Portland's Recent Land Use Code, Plan and Map Revisions in Compliance with Metro's Functional Plan, and Declaring an Emergency
- R-2 First Reading of an ORDINANCE Repealing Ordinance 952 to Delete Real Property Compensation Law (Ballot Measure 7) Subchapter from the Multnomah County Code
- R-3 First Amendment to Retail Lease with Subway Real Estate Corporation for a Subway Restaurant in the North Portland Clinic Building at 9000 N Lombard Street

### **NON-DEPARTMENTAL - 9:40 AM**

- R-4 RESOLUTION Confirming the Interim Designations for Multnomah County Chair, Multnomah County Commissioner District 2, Multnomah County Auditor and Multnomah County Sheriff, in the Event of a Vacancy

- R-5 RESOLUTION Consenting to Appointment of Patricia Pate as Director of the Department of County Human Services and Appointing Patricia Pate as County Financial Assistance Administrator for the State of Oregon Department of Human Services, 2001-2003 County Financial Assistance Intergovernmental Revenue Agreement 0210007
- R-6 Briefing on the City of Gresham Proposed Rockwood Urban Renewal Area and Plan. Presented by Duke Shepard, Max Talbot, Jeff Tashman, Andree Tremoulet and Deb Meihoff. 45 MINUTES REQUESTED.

**HEALTH DEPARTMENT - 10:30 AM**

- R-7 Briefing Update on Access to Care Environment and Key Strategies; Followed by Consideration of Approval of an Intergovernmental Cooperative Agreement Tri-County Health Care Partnership with Clackamas and Washington Counties, Providing a Process Leading to the Establishment of an Enduring Tri-County Safety Net for Health Care Access to Low Income Uninsured People Living in the Tri-County Area. Presented by Lillian Shirley and Michael Sorensen. 30 MINUTES REQUESTED.

**NON-DEPARTMENTAL - 11:00 AM**

- R-8 Slavic Coalition Update. Presented by Pavel Yuzko, Chair, Slavic Coalition of Oregon/IRCO; Victoria Libov, Manager, MSW Employment and Training Services - IRCO; Andrey Tkachenko, Co-Chair, Slavic Coalition of Oregon/IRCO; and Anne Valsamakis, Girls Initiative Network. 15-30 MINUTES REQUESTED.
- R-9 IF NEEDED 2003 Legislative Update with Gina Mattioda and Stephanie Soden. 15-30 MINUTES REQUESTED.
- B-1 Briefing on the Risk Management Workplace Safety System Audit. Presented by Multnomah County Auditor Suzanne Flynn and Judith DeVilliers. 15 MINUTES REQUESTED. (POSTPONED FROM 01/16/03)



## 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

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# MEMORANDUM

TO: Chair Diane Linn  
Commissioner Maria Rojo de Steffey  
Commissioner Serena Cruz  
Commissioner Lonnie Roberts  
Board Clerk Deb Bogstad

FROM: Carol Wessinger  
Staff to Commissioner Lisa Naito

DATE: December 16, 2002

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Commissioner Lisa Naito will miss the January 23, 2003 Board Meeting. She will be at the NACO Public Safety Commission Conference.

# AGENDA PLACEMENT REQUEST

**BUD MOD #:**

**Board Clerk Use Only:**

**Meeting Date:** January 23, 2003

**Agenda Item #:** C-1

**Est. Start Time:** 9:30 AM

**Date Submitted:** 12/30/02

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**Requested Date:** January 23, 2003

**Time Requested:** Consent Calendar

**Department:** Business and Community Services **Division:** Land Use and Transportation

**Contact/s:** Stan Ghezzi

**Phone:** 503-988-3757

**Ext.:** 225

**I/O Address:** 446/Bridges

**Presenters:** NA

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**Agenda Title:** Amend IGA with Oregon Department of Transportation for Burnside Bridge Project

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

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

Approve amended IGA.

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

This is primarily a technical amendment to the subject IGA with the Oregon Department of Transportation (ODOT) that brings the existing IGA into accordance with current policies. The current policies are significantly more financially favorable to the County than were the policies in force at the time the original IGA was executed.

Original IGA was signed in April, 2000. During this period of time, ODOT had determined that it would not provide half the local match for Highway Bridge Replacement and Rehabilitation

(HBRR) projects. The original IGA, therefore requires the County to pay the entire match for the construction portion of the Brunside Deck and Seismic project. Shortly after the original IGA was signed, ODOT reversed it's position and agreed to continue to pay half the local match on HBRR projects through projects in federal fiscal year 2003. This amendment revises the IGA to provide for ODOT to pay half the local match, resulting in a saving to the County of approximately \$270,000.

In addition, at the time the original IGA was signed, federal participation on Construction Engineering (CE) costs was limited to 15% of the construction contract amount. Later, this restriction was relaxed. This amendment incorporates references to updated Standard Provisions and Agreements that relax this requirement, allowing the County to be reimbursed for CE expenses beyond the 15 % limit. This will allow the County to be reimbursed an additional approximately \$155,000 for incurred project CE expenses.

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

The total construction cost of this project is estimated at \$2.9 million. This amendment increases State funding of this project to 10 percent, retains Federal funding at 80 percent, and reduces County funding from 20 percent to 10 percent. This amendment reduces County match required for construction portion of Burnside Deck and Seismic project by approximately \$270,000 and allows the County to be reimbursed an additional approximately \$155,000 for incurred CE expenses.

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

None.

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

None.

**Required Signatures:**

**Department/Agency Director:**      *M. Cecilia Johnson*      **Date:** 12/26/02

**Budget Analyst**

**By:**      **Date:**

**Dept/Countywide HR**

**By:**      **Date:**



# MULTNOMAH COUNTY CONTRACT APPROVAL FORM

Pre-approved Contract Boilerplate (with County Counsel signature) ☐ Attached ☐ Not Attached Contract #: 0011062  
Amendment #: 1

<p style="text-align: center;"><b>CLASS I</b></p> <p><input type="checkbox"/> Professional Services not to exceed \$50,000 (and not awarded by RFP or Exemption)</p> <p><input type="checkbox"/> Revenue not to exceed \$50,000 (and not awarded by RFP or Exemption)</p> <p><input type="checkbox"/> Intergovernmental Agreement (IGA) not to exceed \$50,000</p> <p style="margin-left: 20px;"><input type="checkbox"/> Expenditure</p> <p style="margin-left: 20px;"><input type="checkbox"/> Revenue</p> <p><input type="checkbox"/> Architectural &amp; Engineering not to exceed \$10,000 (for tracking purposes only)</p>	<p style="text-align: center;"><b>CLASS II</b></p> <p><input type="checkbox"/> Professional Services that exceed \$50,000 or awarded by RFP or Exemption (regardless of amount)</p> <p><input type="checkbox"/> PCRB Contract</p> <p><input type="checkbox"/> Maintenance Agreement</p> <p><input type="checkbox"/> Licensing Agreement</p> <p><input type="checkbox"/> Construction</p> <p><input type="checkbox"/> Grant</p> <p><input type="checkbox"/> Revenue that exceeds \$50,000 or awarded by RFP or Exemption (regardless of amount)</p>	<p style="text-align: center;"><b>CLASS III</b></p> <p><input checked="" type="checkbox"/> Intergovernmental Agreement (IGA) that exceeds \$50,000</p> <p style="margin-left: 20px;"><input type="checkbox"/> Expenditure</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> Revenue</p> <p style="text-align: center; margin-top: 20px;"><b>APPROVED MULTNOMAH COUNTY BOARD OF COMMISSIONERS</b></p> <p style="text-align: center;">AGENDA # <u>C-1</u> DATE <u>01-23-03</u></p> <p style="text-align: center;">DEB BOGSTAD, BOARD CLERK</p>
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Department: Aging and Disability Services Division: Land Use Planning and Transportation Date: 12/16/2002

Originator: Stan Ghezzi Phone: 988-3757 x225 Bldg/Rm: 446/Bridges

Contact: Cathey Kramer Phone: 988-5050 x22589 Bldg/Rm: 455/1 Trans

Description of Contract: Amendment of IGA to provide for State matching funds for construction phase and to allow County to be reimbursed additional funds for construction engineering support.

RENEWAL: ☐ PREVIOUS CONTRACT #(S): \_\_\_\_\_

RFP/BID: \_\_\_\_\_ RFP/BID DATE: \_\_\_\_\_

EXEMPTION #/DATE: \_\_\_\_\_ EXEMPTION EXPIRATION DATE: \_\_\_\_\_ ORS/AR #: \_\_\_\_\_

CONTRACTOR IS: ☐ MBE ☐ WBE ☐ ESB ☐ QRF ☐ N/A ☐ NONE (Check all boxes that apply)

<p>Contractor <u>Oregon Department of Transportation (ODOT)</u></p> <p>Address <u>123 NW Flanders</u></p> <p style="margin-left: 20px;"><u>Debbie Burgess</u></p> <p>Phone <u>503-731-8288</u></p> <p>Employer ID# or SS# _____</p> <p>Effective Date <u>Upon Approval</u></p> <p>Termination Date <u>Upon project completion</u></p> <p>Original Contract Amount \$ <u>\$5,000,000</u></p> <p>Total Amt of Previous Amendments \$ <u>0</u></p> <p>Amount of Amendment \$ <u>0</u></p> <p>Total Amount of Agreement \$ <u>\$5,000,000</u></p>	<p>Remittance address _____</p> <p style="text-align: center;">(If different)</p> <p>Payment Schedule / Terms</p> <p><input type="checkbox"/> Lump Sum \$ _____ <input type="checkbox"/> Due on Receipt</p> <p><input type="checkbox"/> Monthly \$ _____ <input type="checkbox"/> Net 30</p> <p><input type="checkbox"/> Other \$ _____ <input type="checkbox"/> Other</p> <p><input type="checkbox"/> Requirements Not to Exceed \$ _____</p> <p>Encumber <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
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**REQUIRED SIGNATURES:**

Department Manager <u>[Signature]</u>	DATE _____
Purchasing Manager _____	DATE _____
County Counsel <u>[Signature]</u>	DATE <u>1/1/03</u>
County Chair <u>[Signature]</u>	DATE <u>1-23-03</u>
Sheriff _____	DATE _____
Contract Administration _____	DATE _____
(Class I, Class II Contracts only)	

LGFS VENDOR CODE						DEPT REFERENCE					
LINE #	FUND	AGENCY	ORG	SUB ORG	ACTIVITY	OBJ/ REV	SUB OBJ	REP CAT	LGFS DESCRIPTION	AMOUNT	INC DEC
01	161	030	6701								
02											
03											

Misc. Contracts & Agreements  
No. 17,576

AMENDMENT NO. 1  
LOCAL AGENCY AGREEMENT  
HIGHWAY BRIDGE REPLACEMENT AND REHABILITATION PROJECT  
Burnside Bridge and Approach Ramps (#0511, 0511A & 0511B)

The State of Oregon, acting by and through its Department of Transportation (State), hereinafter referred to as "State", and MULTNOMAH COUNTY acting by and through its Elected Officials, hereinafter referred to as "Agency", entered into Local Agency Agreement No.17,576 on May 8, 2000. Said agreement covers a Highway Bridge Replacement and Rehabilitation project on the Burnside Bridge Ramps (No. 0511, 0511A and 0511B), hereinafter referred to as "Project".

It has now been determined by State and Agency that the agreement referenced above, although remaining in full force and effect, shall be amended by this agreement to show that the State shall pay half the match on the HBRR funds for the construction of the Project. Therefore the above mentioned agreement shall be amended as follows:

Page No. 2, Paragraph 2, which reads:

"2. The project shall be conducted as a part of the Highway Bridge Replacement and Rehabilitation Program (HBRR), under Title 23, United States Code, and the Oregon Action Plan. The total project cost is estimated at \$5,000,000. Agency shall be responsible for funding the road approach work associated with the project. Agency shall submit a letter identifying the funding source six weeks prior to advertisement of project for bid opening. State shall provide one-half of the match required for the federal funds for the preliminary engineering portion of the project. Should the project be funded at a reduced prorata, the increase in required match shall be the sole responsibility of Agency. Agency shall be responsible for the total match required for the construction portion of the project and all costs in excess of the federal funds. The estimate for the total project cost is subject to change."

Key #09404

M C & A No. 17,576  
MULTNOMAH COUNTY

Shall be amended to read:

"2. The Project shall be conducted as a part of the Highway Bridge Replacement and Rehabilitation Program (HBRR), under Title 23, United States Code. The total Project cost is estimated at \$5,000,000. Agency shall be responsible for funding the road approach work associated with the Project. Agency shall submit a letter identifying the funding source six weeks prior to advertisement of Project for bid opening. State shall provide one-half of the match required for the federal funds for the preliminary engineering and the construction of the Project. Should the Project be funded at a reduced prorata, the increase in required match shall be the sole responsibility of Agency. Agency shall be responsible for the half the match for the federal funds required for the construction portion of the Project and all federal non-participating costs. The estimate for the total Project cost is subject to change."

Attachment No. 2, Standard Provisions, dated March 15, 2000, are removed and replaced by revised Attachment No. 2, Standard Provisions, dated August 8, 2001, attached hereto and by this reference made a part of this Agreement.

The current AOC/LOC Guidelines and Working Agreement 18,433 shall replace AOC/LOC Agreement No. 13,278 which was terminated upon the execution of the new Agreement.

Agency shall authorize execution of this agreement during a duly authorized session of its Board of County Commissioners.

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

This Project is in the 2002-2005 Statewide Transportation Improvement Program, Page 16, Key No.09404, that was approved by the Oregon Transportation Commission on February 13, 2002.

M C & A No. 17,576  
MULTNOMAH COUNTY

The Oregon Transportation Commission on January 16, 2002, approved Delegation Order No. 2, which authorizes the Director to approve and execute agreements for day-to-day operations when the work is related to a project included in the Statewide Transportation Improvement Program or a line item in the biennial budget approved by the Commission.

The Director on January 31, 2002, approved Subdelegation Order No. 2, which grants authority to the Deputy Director for the Oregon Transportation Investment Act to approve and execute agreements over \$75,000 when the work is related to a project included in the Statewide Transportation Improvement Program.

APPROVAL RECOMMENDED

By \_\_\_\_\_  
Tech Serv Mgr/Chief Engineer

Date \_\_\_\_\_

By Kay Van Sintel  
Region 1 Manager

Date 10-18-02

APPROVED AS TO  
LEGAL SUFFICIENCY

By \_\_\_\_\_  
Assistant Attorney General

Date \_\_\_\_\_

MULTNOMAH COUNTY  
Billing Address:  
1620 SE 190<sup>TH</sup> Ave.  
Portland, Oregon 97233

STATE OF OREGON, by and through  
its Department of Transportation

By \_\_\_\_\_  
Executive Deputy Director

Date \_\_\_\_\_

MULTNOMAH COUNTY, by and  
through its Elected Officials

By Coani M J  
Chair

Date 1-23-03

APPROVED AS TO  
LEGAL SUFFICIENCY

By Matthew D. Ryan  
County Counsel

Date 1/1/03

APPROVED MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # C-1 DATE 01-23-03  
DEB BOGSTAD, BOARD CLERK

1-23-03  
Chair Linn Read

[laddiereadjr@msn.com](mailto:laddiereadjr@msn.com)

**From:** "LADDIE READ JR" <laddiereadjr@msn.com>  
**To:** "Andy Smith" <mult.chair@co.multnomah.or.us>; "Rebecca Uherbelau" <rebecca.a.uherbelau@co.multnomah.or.us>; "LINN Diane M" <Diane.M.Linn@co.multnomah.or.us>  
**Sent:** Wednesday, January 22, 2003 10:47 AM  
**Subject:** Letter for Lars

Lars:

My name is Laddie Read and I appreciate the time you are giving us today. I am severely disabled with Cerebral Palsy and I also have Rheumatoid Arthritis. I used to live in the Fairview Training Center when I was quite young. They said I would never live on my own. I proved them wrong and with the help of the agency of Developmental Disabilities I now live in my own place, I have help from a caregiver a few hours a day to help me set and go to Doctors appointments, or write letters or make phone calls or interpret for me. I would be lost without her. If measure 28 were to fail I could lose my caregiver, my food stamps, my medical, my electric scooter repairs and loaves and fishes would no longer bring me meals. I feel that this is not a good thing. It would make a true hardship for me and others like myself. I am active in my community, I go to meetings and advocate for those who cannot or will not speak for themselves. Now even some of my friends who work for the agencies, helping the Mentally Ill or Disabled of Portland are getting notices that their jobs too are threatened. Measure 28 is a reality check for all Oregonians. It would adversely affect too many people if it were to NOT pass.

Besides who would want to move to Oregon when there are so many negative things happening here right now. We do need to find a solution and the new Governor Kulingoski has a hard road ahead of him. We have to rebuild Oregons livability factor because right now Oregon is in deep crises. I don't expect to make you see things from my point of view, I just want you to know what my point of view is. I understand B.M.28 is just a band-aid, but it beats the heck out of our poor bleeding in the streets.

Laddie

1/22/2003

#2

MULTNOMAH COUNTY BOARD OF COMMISSIONERS  
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk

\*\*\*This form is a public record\*\*\*

MEETING DATE: 1/23/03

SUBJECT: Med transports cuts / RTH

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

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

NAME: William Wheeler

ADDRESS: 3734 N. Vancouver

CITY/STATE/ZIP: 97227

PHONE: \_\_\_\_\_ DAYS: 503-493-7473 EVES: Same

EMAIL: Holyconelia@hotmail.com FAX: \_\_\_\_\_

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

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

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

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

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

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

#3.

MULTNOMAH COUNTY BOARD OF COMMISSIONERS  
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk

\*\*\*This form is a public record\*\*\*

MEETING DATE: 1-23-03

SUBJECT: B7/ Walk-in Clinic @ Cascadia  
Behavioral Center-network.

AGENDA NUMBER OR TOPIC: B7

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

NAME: Shawn B. Todd

ADDRESS: 12633 SE Division #38

CITY/STATE/ZIP: Portland, Or. 97236

PHONE: \_\_\_\_\_ DAYS: 503-232-4803

EVES: 503-760-1968

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

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

SPECIFIC ISSUE: to extend funding to Cascadia  
for walk-in clinic.

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

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

1. Please complete this form and return to the Board Clerk.
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3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

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

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

#4 & #5

MULTNOMAH COUNTY BOARD OF COMMISSIONERS  
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk

\*\*\*This form is a public record\*\*\*

MEETING DATE: 1/23/03

SUBJECT: Children's Mental Health Budget Cuts

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

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

NAME: #4 Allyson Linfoot / #5 Deborah Brumann / Maggie Mashia

ADDRESS: 01 (pronounced Mah-shay)

CITY/STATE/ZIP: Portland OR 97201

PHONE: \_\_\_\_\_ DAYS: \_\_\_\_\_ EVES: (503) 283-3889

EMAIL: allysgame@attbi.com FAX: \_\_\_\_\_

SPECIFIC ISSUE: Children's MH Budget Cuts

WRITTEN TESTIMONY: Yes - letter from CAMHSA

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

1. Please complete this form and return to the Board Clerk.
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3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

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

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# MULTNOMAH COUNTY OREGON

DEPARTMENT OF COMMUNITY AND FAMILY SERVICES  
BEHAVIORAL HEALTH DIVISION  
421 SW SIXTH, SUITE 500  
PORTLAND, OREGON 97204  
(503) 988-3999 FAX (503) 988-3328  
TDD (503) 988-3598

BOARD OF COUNTY COMMISSIONERS  
DIANE M. LINN • CHAIR OF THE BOARD  
MARIA ROJO DE STEFFEY • DISTRICT 1 COMMISSIONER  
SERENA CRUZ • DISTRICT 2 COMMISSIONER  
LISA NAITO • DISTRICT 3 COMMISSIONER  
LONNIE ROBERTS • DISTRICT 4 COMMISSIONER

Multnomah County Behavioral Health Advisory Council  
Child and Adolescent Mental Health and Substance Abuse Advisory Committee  
**-CAMHSA-**

January 23, 2003

Diane Linn, County Chair, Multnomah County Board of Commissioners  
Maria Rojo de Steffey, District 1 Commissioner, Multnomah County  
Serena Cruz, District 2 Commissioner, Multnomah County  
Lisa Naito, District 3 Commissioner, Multnomah County  
Lonnie Roberts, District 4 Commissioner, Multnomah County

Dear Chair Diane Linn and Commissioners Maria Rojo de Steffey, Serena Cruz, Lisa Naito, and Lonnie Roberts:

We, the membership of the Child and Adolescent Mental Health and Substance Abuse Advisory Council (CAMHSA), are writing to you as the county's statutorily mandated advisory body on children's mental health and substance abuse services to express our grave concerns about slated cuts to children's mental health and substance abuse positions. We realize that the cuts to adult mental health at the state level threaten to decimate the adult (and children's) crisis system. The county's redesigned crisis system shows great promise and we agree that the county should act to preserve its essential elements. We would like to remind the Board, however, of your resolutions to create a consumer and family-centered mental health system, to adopt System of Care values and principles, and, finally, to protect children's mental health funding from subsidizing a troubled adult mental health system. The proposed budget cuts clearly run counter to these policy directives.

We would also like to emphasize that two children's mental health positions, in particular, were the result of several years of advocacy on the part of both CAMHSA and the community. Yet these positions—the Children's System of Care Coordinator and the Family Involvement Coordinator—now face elimination. CAMHSA's ability to function will be severely compromised by the loss of these positions, and, even more critically, the County's own efforts to reduce fragmentation and implement integrated and family-driven services will be all but lost. As a council, we fear that system partners will be largely abandoned and that families—in a time of greater need than ever—will be left without the support and advocacy they so desperately need.



# MULTNOMAH COUNTY OREGON

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LISA NAITO • DISTRICT 3 COMMISSIONER  
LONNIE ROBERTS • DISTRICT 4 COMMISSIONER

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Again, CAMHSA understands the crisis facing the adult mental health system. However, we must ask if the Board is prepared to abandon their previous resolutions to legitimize and preserve family-centered children's mental health services. Surely, there must be another way.

Sincerely,

Maggie Mashia, CAMHSA Chair

MM:as  
cc: Patricia Pate

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS  
PUBLIC TESTIMONY SIGN-UP**

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Please complete this form and return to the Board Clerk

\*\*\*This form is a public record\*\*\*

MEETING DATE: 1/23/03

SUBJECT: Rockwood - West Gresham Urban Renewal

(Briefing R-6)

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

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

NAME: Beth Kaye

ADDRESS: 421 SW 6th Ave

CITY/STATE/ZIP: Pdx 97211

PHONE: \_\_\_\_\_

DAYS: 503 823 2393

EVE: \_\_\_\_\_

EMAIL: bkaye@ci.portland.or.us

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

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

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

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

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

# AGENDA PLACEMENT REQUEST

**BUD MOD #:**

**Board Clerk Use Only:**

**Meeting Date:** January 23, 2003

**Agenda Item #:** R-1

**Est. Start Time:** 9:30 AM

**Date Submitted:** 12/30/02

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**Requested Date:** January 23, 2003

**Time Requested:** 5 Minutes

**Department:** Business and Community Services **Division:** Land Use & Transportation

**Contact/s:** Susan Muir

**Phone:** 503-988-3043

**Ext.:** 83182

**I/O Address:** 455/116

**Presenters:** Susan Muir

---

**Agenda Title:** An Ordinance Amending County Land Use Code, Plans And Maps To Adopt Portland's Recent Land Use Code, Plan And Map Revisions In Compliance With Metro's Functional Plan And Declaring An Emergency

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

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- 1. What action are you requesting from the Board? What is the department/agency recommendation?** Adopt the ordinance as recommended by the Portland Planning Commission and Portland City Council.
- 2. Please provide sufficient background information for the Board and the public to understand this issue.** On October 11, 2001 the Board adopted Ordinance 967 (effective date January 1, 2002) adopting, in summary, the Portland Comprehensive Plan and zoning ordinance. The County and the City of Portland have been engaged in agreements enabling the City of Portland to provide planning services to achieve compliance with the Metro Functional Plan for those areas outside the City limits, but within the urban growth boundary and urban service boundary of Portland. Since the adoption of Ordinance 967 and subsequently Ordinance 997, the attached ordinances have been passed by the City Council and

therefore the County must adopt them pursuant to our intergovernmental agreement to keep the code up to date. Multnomah County and the City of Portland entered into an Intergovernmental Agreement (IGA) to transfer land use planning responsibilities on January 1, 2002. The IGA lays out a process requiring the County to ensure that any City Council adopted amendments to the City comprehensive plan, zoning code and other regulations adopted by the County Board of Commissioners will be considered by the County Board of Commissioners at the earliest possible meeting. It also states "The County Board of Commissioners shall enact all comprehensive plan and code amendments so that they take effect on the same date specified by the City's enacting ordinance" (unless adopted by emergency). The City will have taken action on all of the above items by the hearing date of this ordinance. If the County does not adopt these amendments, the IGA will be void and the County will be required to resume responsibility for planning and zoning administration within the affected areas.

3. **Explain the fiscal impact (current year and ongoing).** NA
4. **Explain any legal and/or policy issues.** State law requires a notice be placed in a newspaper of general circulation 10 days prior (1/13/03) to the BCC hearing. We request adoption of this ordinance by emergency to coincide with the City of Portland adoption date as stated in the IGA. The County Attorney's office was involved in the drafting of the original IGA and has been involved in coordinating our compliance effort through adoption of these code amendments.
5. **Explain any citizen and/or other government participation that has or will take place.** The City included the County affected property owners in their noticing for these code revisions when required pursuant to the IGA and directed them to the City legislative process.

**Required Signatures:**

**Department/Agency Director:** *M. Cecilia Johnson* **Date:** 12/26/02

**Budget Analyst**

**By:** **Date:**

**Dept/Countywide HR**

**By:** **Date:**

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

**ORDINANCE NO. \_\_\_\_**

An Ordinance Amending County Land Use Code, Plans And Maps To Adopt Portland's Recent Land Use Code, Plan And Map Revisions In Compliance With Metro's Functional Plan And Declaring An Emergency

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

- a. The Board of County Commissioners (Board) adopted Resolution A in 1983 which directed the County services towards rural services rather than urban.
- b. In 1996, Metro adopted the Functional Plan for the region, mandating that jurisdictions comply with the goals and policies adopted by the Metro Council.
- c. In 1998, the County and the City of Portland (City) amended the Urban Planning Area Agreement to include an agreement that the City would provide planning services to achieve compliance with the Functional Plan for those areas outside the City limits, but within the Urban Growth Boundary and Portland's Urban Services Boundary.
- d. It is impracticable to have the County Planning Commission conduct hearings and make recommendations on land use legislative actions pursuant to MCC 37.0710, within unincorporated areas inside the Urban Growth Boundary for which the City provides urban planning and permitting services. The Board intends to exempt these areas from the requirements of MCC 37.0710, and will instead consider the recommendations of the Portland Planning Commission and City Council when legislative matters for these areas are brought before the Board for action as required by intergovernmental agreement (County Contract #4600002792) (IGA).
- e. On June 20, 2002 the Board amended County land use codes, plans and maps to adopt the City's land use codes, plans and maps in compliance with Metro's Functional Plan by Ordinance 984.
- f. Since the adoption of Ordinance 984, the City's Planning Commission recommended the land use code, plan and map amendments to the City Council through duly noticed public hearings.
- g. The City notified affected County property owners as required by the IGA.

- h. The City Council adopted the land use code, plan and map amendments, set out in Section 1 below and attached as Exhibits 1 through 7. The IGA requires that the County adopt these amendments for the City planning and zoning administration within the affected areas.

**Multnomah County Ordains as follows:**

**Section 1.** The County Comprehensive Framework Plan, community plans, rural area plans, sectional zoning maps, and land use code chapters are amended to include the City land use code, plan, guideline and map amendments, attached as Exhibits 1 through 7 and effective on the same date as the respective Portland ordinance:

Exhibit No.	Ordinance	Effective Date
1	North Macadam Resolution (36111)	1/20/2003
2	North Macadam Ordinance (177082)	1/20/2003
3	North Macadam Plan – Exhibit A	
4	North Macadam Zoning Code – Exhibit B	
5	North Macadam Design Guidelines – Exhibit C	
6	North Macadam Supporting Information – Exhibit D	
7	North Macadam Addendum – Exhibit E	

**Section 2.** In accordance with ORS 215.427(3), the changes resulting from Sections 1 of this ordinance shall not apply to any decision on an application that is submitted before the applicable effective date of this ordinance and that is made complete prior to the applicable effective date of this ordinance or within 180 days of the initial submission of the application.

**Section 3.** In accordance with ORS 92.040(2), for any subdivisions for which the initial application is submitted before the applicable effective date of this ordinance, the subdivision application and any subsequent application for construction shall be governed by the County's land use regulations in effect as of the date the subdivision application is first submitted.

**Section 4.** Any future amendments to the legislative matters listed in Section 1 above, are exempt from the requirements of MCC 37.0710. The Board acknowledges, authorizes and agrees that the Portland Planning Commission will act instead of the Multnomah Planning Commission in the subject unincorporated areas using the City's own procedures, to include notice to and participation by County citizens. The Board will consider the recommendations of the Portland Planning Commission when legislative matters for County unincorporated areas are before the Board for action.

FIRST READING AND ADOPTION: January 23, 2003

Diane M. Linn, Chair

By Sandra Duffy  
Sandra N. Duffy, Assistant County Attorney



## **EXHIBIT LIST FOR ORDINANCE**

- (1) North Macadam Resolution (City Res. 36111)
- (2) North Macadam Ordinance (City Ord. 177082)
- (3) North Macadam Plan – Exhibit A
- (4) North Macadam Zoning Code – Exhibit B
- (5) North Macadam Design Guidelines – Exhibit C
- (6) North Macadam Supporting Information – Exhibit D
- (7) North Macadam Addendum – Exhibit E

Prior to adoption, this information is available electronically or for viewing at the Multnomah County Board of Commissioners and Agenda website (<http://www.co.multnomah.or.us/cc/index.html>). To obtain the adopted ordinance and exhibits electronically, please contact the Board Clerk at 503-988-3277. These documents may also be purchased on CD-Rom from the Land Use and Transportation Program. Contact the Planning Program at 503-988-3043 for further information.

3 6 1 1 1

Resolution No.

As Amended

Adopt the Action Charts and additional implementing measures of the *North Macadam Plan* (Resolution)

The City of Portland resolves:

WHEREAS, neighborhood and area plans are intended to promote patterns of land use, urban design, infrastructure facilities and services that encourage and contribute to the economic, social, and physical health, welfare, and safety of neighborhoods and the City as a whole; and

WHEREAS, the *North Macadam Plan* was developed by the City of Portland Bureau of Planning in cooperation with other City bureaus and agencies and with participation from property owners, business persons and other interested citizens; and

WHEREAS, the *North Macadam Plan* directs and manages change over time, and as such the adopted vision statement, policies, objectives, *Zoning Code*, and design guidelines of the *North Macadam Plan* are adopted by Ordinance and will guide decision-making, public deliberation, and investments; and

WHEREAS, it is in the public interest that the recommendations contained in the *North Macadam Plan* and outlined below in directives c.1 through c.8, be adopted to direct and manage change in the North Macadam Plan area;

WHEREAS, the policy and objective elements of the *North Macadam Plan* are adopted by Ordinance as part of the *Comprehensive Plan*, the action charts included in attached Exhibit A are not adopted as part of the *Comprehensive Plan*;

WHEREAS, the action charts describe the recommended implementation projects and programs of the *North Macadam Plan*, and identify appropriate time frames for implementation and identify public, nonprofit and private agencies and partnerships to lead or oversee implementation of each action; and

WHEREAS, the Portland Planning Commission recommends that the City Council adopt the action charts of the *North Macadam Plan*;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Portland, a municipal corporation of the State of Oregon, that the City Council adopt the action charts of the *North Macadam Plan*, as shown in Exhibit A, and that:

- a. The implementation actions associated with the *North Macadam Plan* action charts are approved by City Council as a starting place for projects and programs that will help implement the policies of the plan;
- b. All actions are adopted with the understanding that they may need to be adjusted or replaced with more feasible alternatives. Identification of an implementor for an action is an expression of interest and support with the understanding that circumstances may change over time and may affect the implementation leader's ability to take action; and
- c. The City Council authorizes the City agencies identified on the action charts as implementors, to engage in activities aimed at implementing the projects and programs called for in the action charts of the *North Macadam Plan*, specifically:

1. The City Council directs the Portland Development Commission to work with Parks and Recreation, Portland Office of Transportation, Environmental Services, Office of Sustainable Development, Planning, Tri-Met and other relevant agencies to identify funding sources and strategies to implement projects, programs and activities listed in the action charts of the *North Macadam Plan* over the next five, ten and twenty years;
2. The City Council directs the Portland Office of Transportation to work with Environmental Services, Planning, Portland Development Commission and other relevant agencies to update the Street Plan for North Macadam, including updates to the Transportation Element of the *Comprehensive Plan*, the street plan maps, street standards and street plan principles, to be consistent with the policies and Transportation Concept of the *North Macadam Plan*, and return to City Council for review and acceptance no later than January 20, 2003;
3. The City Council directs the Portland Office of Transportation to survey the top of bank of the Willamette River in the North Macadam District, consistent with the diagrams of the *North Macadam Plan*;
4. After the action called out under directive c.3, above, is complete, the City Council directs the Bureau of Planning to amend the *Zoning Code* to use a mapped top of bank in the North Macadam Subdistrict based on the survey.
5. The City Council directs the Bureau of Parks and Recreation and the Bureau of Planning to coordinate development of the Design Coordination Plan for the Greenway in cooperation with Portland Development Commission, Environmental Services, Portland Office of Transportation, ESA Program and other affected bureaus, with involvement by North Macadam property owners, in a process operating under the River Renaissance umbrella.
6. The City Council directs the Bureau of Parks and Recreation, in cooperation with Portland Development Commission, Bureau of Planning and Portland Office of Transportation, to coordinate development of a local improvement district or comparable instrument that provides a mechanism to collect district contributions for greenway improvements.
7. The City Council directs the Bureau of Planning, in cooperation with other city bureaus and agencies, to monitor and evaluate implementation of the *Zoning Code* and other implementation actions of the *North Macadam Plan*. In addition, the Bureau of Planning is directed to report back to Council within three years on these implementation items to ensure that the city is achieving the goals described in the *North Macadam Plan*.
8. The City Council directs the Bureau of Planning to work with the Bureau of Development Services to complete an inventory of existing surface parking in the North Macadam District, including number of spaces, square footage and location. This information will be used as a baseline when the City administers and tracks the surface parking limitations in the subdistrict.
9. The City Council directs the Bureau of Planning to update the *Central City Plan* to include the North Macadam Urban Design Map as shown in the *North Macadam Plan*.]
10. The City Council directs the Bureau of Planning to rename the plan area "South Waterfront" and, upon adoption, make the subsequent changes to the name of the project

documents including the plan, zoning code and design guidelines as well as references to this subdistrict of the Central City plan district.

11. The City Council directs the Bureau of Planning, the Portland Development Commission, the Office of Management and Finance and other city bureaus, to update Council on land and development costs in the North Macadam District during the development agreement negotiation process.

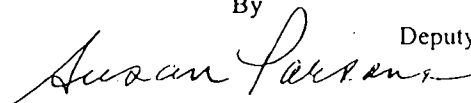
Section 2: The effective date for this resolution will be January 20, 2003. The time between adoption and the effective date will allow time for staff to complete an update of the *North Macadam District Street Plan*, to be consistent with relevant *North Macadam Plan* elements, including transportation policies, objectives, action charts and concept.

Adopted by the Council, NOV 13 2002  
Mayor Vera Katz  
Marie Johnson  
October 9, 2002

GARY BLACKMER  
Auditor of the City of Portland

By

Deputy



# Ordinance No. 177082

Adopt and implement the North Macadam Plan (Ordinance)

The City of Portland ordains:

Section 1: The Council finds:

## General Findings

1. The North Macadam planning effort has resulted in a series of documents with similar names. For ease of understanding these findings, the following references are used. The documents being adopted through this ordinance are *North Macadam Plan* (Exhibit A), *Zoning Code for North Macadam* (Exhibit B), *North Macadam Design Guidelines and Greenway Design Guidelines for North Macadam* (Exhibit C) and *Supporting Information for North Macadam Plan* (Exhibit D). Hereinafter these documents are referenced as *North Macadam Plan*, *North Macadam Zoning Code*, and *North Macadam Design Guidelines*, respectively, and their contents are referred to as the amendments or the provisions.
2. In 1977, the Portland City Council adopted the *Corbett-Terwilliger-Lair Hill Policy Plan*, which is also part of Portland's *Comprehensive Plan*.
3. Portland's *Comprehensive Plan* was adopted on October 16, 1980 through Ordinance No. 150580 and acknowledged for compliance with Statewide Planning Goals on May 3, 1981. On January 25, 2000, the Land Conservation and Development Commission completed its review of the city's final local periodic review order and periodic review work programs, and re-acknowledged the plan's compliance with the statewide planning goals.
4. On March 24, 1988, the Portland City Council adopted the *Central City Plan* (Ordinance No. 160606 and Resolution No. 34417) designating the North Macadam District as a mixed use neighborhood with commercial zoning and a required housing area.
5. In November 1996, City Council unanimously accepted a report prepared by the City Engineer entitled *North Macadam District Street Plan*. City Council then directed the Bureau of Planning to recommend measures for implementing the *Street Plan*.
6. On April 18, 1997, the Bureau of Planning published the *Planning Commission Proposed Draft* for recommendations to implement the *North Macadam District Street Plan*.
7. On November 25, 1998, through Resolution No. 35742, the City Council directed the Bureau of Planning, in consultation with the Bureau of Environmental Services, the Bureau of Parks and Recreation and the Portland Development Commission, to conduct a comprehensive revision of the *Willamette Greenway Plan* and implementing regulations. Resolution No. 35742 further specified that the revision of the *Willamette Greenway Plan* would be coordinated with the North Macadam revision process.

8. On August 11, 1999, the Portland City Council accepted the *North Macadam District Framework Plan*, approved a work program for implementation of the plan, and approved the planning process for the *North Macadam Urban Renewal Plan* (Ordinance No. 173651 and Resolution No. 35815). The mission of the *North Macadam Framework Plan* is to support a lively, urban neighborhood; a diverse population; integrated jobs and housing; accessible and well-crafted open spaces; active streets; a building scale that is friendly to pedestrians; convenient transit; and a quality urban design.
9. The Bureau of Planning's *Proposed North Macadam Plan* and *Proposed Zoning Code for North Macadam* were published on April 24, 2002. Public hearings on the plan and zoning code were held on May 14, 2002 and May 28, 2002. Work sessions before Planning Commission were held on June 4, June 25, July 9, July 16, and July 30, 2002. On July 30, 2002, at the conclusion of their deliberations, the Planning Commission voted to recommend that the City Council adopt the plan and zoning code with amendments.
10. The Planning Commission held a public hearing on August 27, 2002, to consider testimony on a Portland Development Commission request to amend the required heights in an area north of the Marquam Bridge, near the RiverPlace development. The amendment proposed to lower the required heights closest to the Willamette Greenway and raise the required heights further from the greenway. After receiving oral and written testimony from over 25 people (and receiving a petition signed by 187 residents of the American Plaza Condominiums), Planning Commission voted unanimously to reject the proposed height change amendment.
11. The Bureau of Planning's *Proposed North Macadam Design Guidelines* were published on April 24, 2002 and the Portland Design Commission on July 18, 2002 held a public hearing on the guidelines. On August 22, 2002, at the conclusion of their deliberations, the Design Commission voted unanimously to recommend that the City Council adopt the guidelines with amendments.
12. The *Recommended North Macadam Plan*, the *Recommended Zoning Code for North Macadam* and the *Recommended North Macadam Design Guidelines and Greenway Design Guidelines for North Macadam* were published on September 10, 2002. Public hearings on these documents were held by the Portland City Council on October 9 (and October 10), 2002. Planning staff brought written materials to the public hearings constituting the entire record of the project and the city proceedings on the plan. These materials included oversized exhibits and materials contained in a filing cabinet. Planning staff placed these materials before the City Council and made them available during the public hearings. All of these materials are specifically incorporated into the City Council record.
13. On October 30 and 31, 2002, City Council held an amendments hearing to receive additional testimony on staff proposed amendments to the recommended documents. These amendments were in response to City Council direction, public testimony and information from other City bureau staff. These amendments included a Portland Development Commission request to amend the heights in an area north of the Marquam Bridge. Bureau of Planning staff supported a revision of this amendment that included a wider greenway, similar to that in North Macadam, and a stepping down of the building heights from west to east. On October 31, 2002, at the outset of the continued hearing on the proposed

amendments, the Council set aside time specifically to hear and consider testimony on the PDC amendment request to increase heights north of the Marquam Bridge.

14. City Council voted to adopt the *North Macadam Plan* and its implementing documents on November 13, 2002. The adopted documents were published on December 13, 2002.
15. As part of the Council's action to adopt the *North Macadam Plan*, Council directed staff to change the district's name from "North Macadam" to "South Waterfront." Subsequent copies of plan documents will reflect this name change.
16. *North Macadam Plan* provisions implement or are consistent with the Statewide Planning Goals, the Metro Urban Growth Management Functional Plan, the Portland *Comprehensive Plan*, and the Portland *Zoning Code* as described in the findings that follow and in the record of the city proceedings on the plan. These rules, policies and plans provide a basis for allowing and limiting new residential, commercial and employment activities in the plan area.
17. The *North Macadam Plan* includes action charts that are approved by resolution. These action charts represent a commitment from public and private groups to help implement the policies and objectives of the plan. Every listed implementor has agreed to the assigned action by verbal consent or by submitting a letter of support.
18. It is in the public interest that the recommendations contained in the *North Macadam Plan* be adopted to direct and manage change and to regulate development in the plan area.

## Statewide Planning Goals Findings

State planning statutes require cities to adopt and amend comprehensive plans and land use regulations in compliance with the state land use goals. Because the *North Macadam Plan* has a limited scope and the amendments in this ordinance address only some of the topics of the Statewide Planning Goals, only the state goals addressed below apply.

19. **Goal 1, Citizen Involvement**, requires provision of opportunities for citizens to be involved in all phases of the planning process. The preparation of *North Macadam Plan* has provided numerous opportunities for public involvement. Findings of compliance with Portland *Comprehensive Plan* Goal 9, Citizen Involvement, and its related policies and objectives, also demonstrate compliance with this goal. The amendments are supportive of this goal in the following ways:
  - a) In November 1996, City Council accepted the *North Macadam District Street Plan*. City Council then directed the Bureau of Planning to recommend measures for implementing the *Street Plan*. Bureau of Planning staff met numerous times with interested groups and individuals between January 1997 and September 2002.
  - b) On June 4, 1997, City Council adopted Resolution No. 35618 and appointed the North Macadam Steering Committee to lead a public-private planning process. The North Macadam Steering Committee was asked to establish a vision for district development as well as develop a district-wide framework plan.

- c) The Design Commission held a public hearing on June 5, 1997 to consider the proposed amendments to the special design guidelines for the North Macadam District of the *Central City Plan*. Notice of this public hearing was mailed to over 200 persons. The Design Commission public hearing was also advertised through the Office of Neighborhood Associations' (ONA) public outreach calendar. (ONA is now known as the Office of Neighborhood Involvement or ONI).
- d) The North Macadam Steering Committee members met more than 30 times from June 1997 through August 2000. The North Macadam Steering Committee extensively advertised their efforts, their meetings were open to the public and testimony was accepted at all meetings.
- e) In 1998, the North Macadam Steering Committee established work groups to help prepare and review drafts of the *North Macadam Framework Plan* and the *North Macadam Urban Renewal Plan*. The six work groups were Greenway and Parks; Housing; Jobs; Land Use and Development; Market Analysis and Financial Strategy; and Transportation and Infrastructure. These work groups were comprised of representatives of property owners, public agencies, institutions, and neighborhood associations and community organizations.
- f) In August 1999, City Council charged staff from the city bureaus with driving the next phase of the planning process. The North Macadam Steering Committee reorganized the work groups into advisory groups. The six advisory groups were Greenway/Parks, Housing, Jobs, Land Use, Transportation and Infrastructure, Market Analysis and Financial Strategy. These advisory groups were comprised of representatives of property owners, public agencies, institutions, and community organizations. The advisory groups met regularly between August 1999 and April 2000. The advisory groups provided advice to City staff on the preparation of the proposed revisions for North Macadam.
- g) The following organizations were represented on one or more of the work group and/or advisory committees: American Society of Landscape Architects; Association for Portland Progress; Audubon Society of Portland; The Bookin Group; Bureau of Environmental Services; Bureau of Planning; Corbett-Terwilliger-Lair Hill Neighborhood Association; David Evans & Associates, Inc.; Enron Micro Climates, Inc.; FFA Architects; 40 Mile Loop Trust; Group Mackenzie; GSL Properties; Housing and Community Development Commission; Housing Authority of Portland; Housing Development Center; Innovative Housing, Inc.; League of Women Voters; Melvin Mark Development Company; National College of Naturopathic Medicine; National Marine Fisheries Service, NW Region; North Macadam Development Council; Northwest District Association; Office of Planning and Development Review; Old Spaghetti Factory; 1000 Friends of Oregon; Oregon Fish and Wildlife; Oregon Health & Science University; Oregon Pacific Investment Development; Pacific Richland Company; Parsons Brinckerhoff; Portland Community Design; Portland Development Commission; Portland Office of Transportation; Portland Parks and Recreation; Portland State University; Schnitzer Investment Group; SERA Architects; Shiels Oblatz Johnsen; Spencer and Kupper; Tri-Met; US Bank Trust; Westwood Swinerton Construction; The Zidell Companies.



- h) Members of the North Macadam Steering Committee and the Urban Renewal Advisory Committee received written notification of all committee meetings. In addition, notification of all advisory group meetings was sent to representatives of the following: Bank of America; Brian McCarl & Co; City Commissioner James Francesconi's office; City Commissioner Charlie Hales's office; County Commissioner Diane Linn's office; City Commissioner Dan Saltzman's office; City Commissioner Eric Sten's office; Community Development Network; Corbett-Terwilliger-Lair Hill Neighborhood Association; David Evans & Associates, Inc; Entouch Systems; Eric Hovee & Co; Fannie Mae; Fishman Environmental Services; GreenWorks; Harza Engineering Company; Housing Authority of Portland; Housing Development Center; League of Women Voters; Mayor Vera Katz's Office; Metro; National College of Naturopathic Medicine; Northwest Housing Alternatives; NSP Development; Oregon Department of Transportation; Pacific Housing Advisors, Inc; Portland Community Reinvestments, Inc; Portland Office of Transportation; PIVOT; Portland Community Design; Portland State University; Prendergast & Associates; Reach Community Development; StastnyBrun Architects, Inc; Tri-Met; Willamette River Keepers; Zimmer Gunsul Frasca.
- i) Beginning in September 1999, everyone on the North Macadam general mailing list received written notification of all meetings of the North Macadam Steering Committee, the work group committees, and the advisory committees. The North Macadam general mailing list is comprised of all members of the North Macadam Steering Committee, the work group committees, advisory Committees, and all interested parties and/or individuals who requested information.
- j) The Bureau of Planning published two public review drafts containing amendments to policy, zoning code and design guidelines in December 1999. A three and a-half-month public review process followed the release of these draft documents.
- k) In February 2000, the Bureau of Planning held two informational meetings and three workshops to review the public review draft with any interested party. Public comment on the draft documents was accepted until March 31, 2000.
- l) The Bureau of Planning sent a notice announcing the availability of the public review draft and the schedule for the meetings and workshops to over 1000 individuals and organizations on the Bureau's North Macadam general mailing list. The North Macadam general mailing list consists of all committee members and interested parties affiliated with specific committees and work groups, in addition to people interested in North Macadam with no specific committee affiliation. The notice was also sent to all those who had requested information on the proposed revisions for the North Macadam District, Central City issues, and the Willamette River greenway. In addition, the schedule for the February 2000 informational meetings and workshops was included in the local newspapers and on both broadcast television and radio.
- m) Between December 1999 and March 2000, the Bureau of Planning received more than 600 specific suggestions from 53 individuals for changes to the public review draft documents. This included participants in the meetings and workshops, representatives of city bureaus, and others interested in the North Macadam District. In addition to

comments from workshop participants, suggestions, comments, and questions were received through U.S. mail, email and interagency memorandums.

- n) Bureau of Planning staff met with any individual who requested a meeting. Any group comprised of at least five individuals that requested a meeting about the proposals contained in the public review draft was granted a meeting, at a location of its choice. Staff met at the Bureau of Planning offices with any individual who requested a meeting to answer questions and hear comments about the proposals. Bureau of Planning staff met with approximately 25 individuals and 20 groups of five or more between August 1999 and October 2000.
- o) On October 13, 2000, the Bureau of Planning published the proposed revisions for the North Macadam District. This three-volume set included the following documents: *Proposed Revisions to the Central City Plan, Willamette Greenway Plan, and Title 33, Zoning Code; Proposed North Macadam District Design Guidelines; and Appendices.*
- p) A Planning Commission hearing notice was sent to the 921 individuals who requested information about the North Macadam planning process. The notice informed them of the availability of the proposed revisions for the North Macadam District and the upcoming public hearings before Planning Commission.
- q) On October 25, 2000, the required Measure 56 notice was mailed to forty property owners whose property was proposed to be affected by the proposed revisions.
- r) On November 14, 2000, a joint public hearing with both the Planning Commission and the Design Commission was held. In addition to presentations from staff and members of the North Macadam Steering Committee, over 90 individuals provided the Planning Commission and Design Commission with testimony on the proposed documents.
- s) On November 21, 2000, Bureau of Planning staff met with the Planning and Design Commission in a work session on the North Macadam proposals.
- t) Bureau of Planning staff met with the Design Commission on January 19, 2001, and on March 15, 2001 to discuss issues pertaining to the North Macadam proposals.
- u) Bureau of Planning staff and the Portland Design Commission held three workshops to develop design principles for the North Macadam District on April 27, 2001; May 18, 2001; and May 25, 2001.
- v) The Bureau of Planning briefed the Planning Commission on the status of the project on June 12, 2001 and August 28, 2001.
- w) An interbureau technical team was formed in September 2001 to facilitate the development of the proposed revisions. The team, known as the Core Group, was led by the Bureau of Planning with representatives from the Portland Development Commission, the Bureau of Environmental Services, Portland Parks and Recreation, Portland Office of Transportation, and the Office of Planning and Development Review. Members of the Core Group briefed the members of the North Macadam Urban Renewal

Advisory Committee on October 18, 2001 to update them on the current planning concepts.

- x) Staff from the Core Group representing the Bureau of Planning, the Portland Office of Transportation, and the Portland Development Commission met with numerous stakeholders and groups including developers, institutions, neighborhood associations, property owners, and other public interest organizations to discuss concepts related to the plan between November 2001 and July 2002. The Core Group also briefed organizations and commissions, including the North Macadam Urban Renewal Advisory Committee, on the concepts.
- y) Staff from the Core Group briefed the Planning Commission on November 11, 2001 regarding the revised framework concepts for the North Macadam District.
- z) Portland Development Commission staff briefed the Portland Development Commission on December 12, 2001, on the updated North Macadam budget and planning process.
- aa) Beginning in early 2002, information about the *North Macadam Plan* was added to the Bureau of Planning Internet site ([www.planning.ci.portland.or.us](http://www.planning.ci.portland.or.us)) and has been regularly updated since then. Details include an overview of the plan; team and contact information; maps and photos; documents available; events and dates; as well as text and graphics from the Community Open Houses. The website also includes links to the other agency and bureau webpages related to the North Macadam planning process.
- bb) *The Oregonian*, *Portland Business Journal*, the *Daily Journal of Commerce*, *Southwest Neighborhood News*, *The Multnomah Village Post*, *Willamette Week*, *Portland Tribune*, and *Southwest Connection* newspapers have all had feature articles, editorials, letters and/or updates about the North Macadam planning process and events.
- cc) The Bureau of Planning, with staff assistance from the Core Group, held two open houses on the draft land use, parks and greenway and transportation concepts for the North Macadam District. The open houses were on February 5 and February 9, 2002. Approximately 60 people attended the open houses.
- dd) On March 26, 2002, the Bureau of Planning briefed the Planning Commission on the Science and Technology Quarter and the status of the North Macadam project.
- ee) The *Proposed North Macadam Plan*, the *Proposed Zoning Code for North Macadam*, and the *Proposed North Macadam Design Guidelines* were made available to the public on April 24, 2002, three weeks prior to the first Planning Commission public hearing.
- ff) Notice of the upcoming *North Macadam Plan* Planning Commission hearing and copies of the three proposed documents were sent to Metro on April 29, 2002.
- gg) On April 12, 2002, notification of the upcoming Planning Commission hearing was sent to 1,217 groups and/or individuals who had expressed interest in the North Macadam Planning process or who had requested notification. In addition, the 33 property owners in North Macadam were sent the legally required Measure 56 notice on April 12, 2002.

- hh) Planning Commission held two hearings on the *Proposed North Macadam Plan* and the *Proposed Zoning Code for North Macadam*. The first hearing was held on May 14, 2002 and the second occurred on May 25, 2002. Approximately 50 individuals, representing property owners, neighborhood residents and other stakeholder groups as well as various local agencies, gave oral and/or written testimony on the proposed plan and proposed zoning code.
- ii) Planning Commission held five work sessions (June 4, June 25, July 9, July 16, and July 30, 2002) during the summer of 2002 to review and deliberate on the proposed documents and the requested amendments. At the July 30, 2002 work session, Planning Commission voted to accept the *Proposed North Macadam Plan* and the *Proposed Zoning Code for North Macadam*, as amended.
- jj) During the Planning Commission's deliberations on the North Macadam project, the Portland Development Commission requested that the Bureau of Planning include an amendment that would change the required building heights in an area adjacent to the North Macadam plan area, directly north across the Marquam Bridge. The amendment area lies within the North Macadam Urban Renewal Area. Planning Commission decided that, due the unique circumstances of this request, the Bureau of Planning should send out public notice on this proposal and that the Commission would hold an additional hearing to receive public testimony.
- kk) On August 6, 2002, the Bureau of Planning mailed out a notification regarding the upcoming Planning Commission hearing on the height change proposal north of Marquam Bridge. This notice was sent to 533 people, including residents of nearby condominiums.
- ll) The Bureau of Planning's report on the height change proposal was made available to the public on August 15, 2002. This report was available at the Bureau of Planning offices as well as on the Bureau's website. The report also included an invitation to an upcoming open house on the proposal.
- mm) On August 22, 2002, a public open house, hosted by Portland Development Commission staff and assisted by Bureau of Planning staff, was held at the RiverPlace Community Room. City staff presented the proposal, reviewed illustrations and maps, and answered questions from interested citizens. Approximately 45 people attended the two-hour open house.
- nn) Planning Commission held a public hearing on August 27, 2002, to receive testimony regarding the Bureau of Planning proposal to amend the required heights north of the Marquam Bridge. Approximately 25 people testified regarding this proposal, with an additional 187 residents of the American Plaza Condominiums signing and submitting a petition in opposition to the proposal. After deliberating on the merits of the proposal, Planning Commission voted unanimously to deny the proposed amendment. Bureau of Planning did not forward the request to City Council as part of the *North Macadam Plan*. However, those who submitted testimony or who asked to be included on the North Macadam mailing list were sent public notice of the upcoming City Council hearings on the North Macadam project.

- oo) The City legislative process for considering new land use plans and new land use regulations is contained in Chapter 33.740 of the *Zoning Code*. The Bureau of Planning, Planning Commission and City Council followed this process in developing a proposed *North Macadam Plan*, giving notice and holding hearings on the Plan and adopting the Plan. During this legislative process, the City Council received many proposed amendments, including the proposed height change for property north of Marquam Bridge. The Council heard testimony on all of these amendments and considered all oral and written testimony received before voting to adopt the *North Macadam Plan*. The Council's actions are consistent with legislative process of Chapter 33.740 and, as described below, with the City's *Comprehensive Plan*. For these reasons, the Council's actions are also consistent with Statewide Planning Goals 1 and 2.
  - pp) On June 14, 2002, notice of the upcoming Design Commission hearing on the *Proposed North Macadam Design Guidelines* was mailed to 869 people who had requested such notifications.
  - qq) On July 18, 2002, Design Commission held a public hearing to consider testimony related to the *Proposed North Macadam Design Guidelines*. Approximately twenty individuals testified on behalf of property owners, neighborhood and other local interest groups.
  - rr) At a work session held on August 22, 2002, Design Commission voted to recommend the *North Macadam Design Guidelines and Greenway Design Guidelines for North Macadam*.
  - ss) On September 12, 2002, notice of the City Council hearings on the recommended documents was mailed to 1,232 people who had requested to be on the *North Macadam Plan* mailing list.
  - tt) On October 9 and 10, 2002, the City Council held hearings on the following documents: *Recommended North Macadam Plan, Recommended Zoning Code for North Macadam, and North Macadam Design Guidelines and Greenway Design Guidelines for North Macadam*.
  - uu) On October 30 and 31, 2002, City Council held an amendments hearing to receive additional testimony on staff proposed amendments to the recommended documents. These amendments were in response to City Council direction, public testimony and information from other City bureau staff. These amendments included a Portland Development Commission request to amend the heights in an area north of the Marquam Bridge. Bureau of Planning staff supported a revision of this amendment that included a wider greenway, similar to that in North Macadam, and a stepping down of the building heights from west to east.
  - vv) City Council continued the amendments hearing to November 6 and 7, 2002, to receive additional public testimony and deliberate on revisions to staff amendments, including the request of amend the required building heights north of Marquam Bridge.
20. **Goal 2, Land Use Planning**, requires the development of a process and policy framework to provide a basis for all land use decisions and assures that decisions and actions are based

on an understanding of the facts relevant to the decision. This goal also requires that each plan and related implementation measure shall be coordinated with the plans of affected governmental units. These amendments support this goal by:

- a) Updating the Portland *Comprehensive Plan* for the North Macadam District, a subdistrict of the Central City. Portland City Council adopted the Portland *Comprehensive Plan* on October 6, 1980 by Ordinance No. 150580. The Department of Land Conservation and Development acknowledged the plan for compliance with statewide planning goals on May 3, 1981. Subsequent updates resulting from periodic review occurred in June 1988, January 1991, March 1991, September 1992, May 1995 and January 2000. On January 5, 2000, Portland successfully completed its first state-sponsored periodic review, which signified the *Comprehensive Plan's* compliance with the Statewide Planning Goals (Oregon Department of Land Conservation and Development Order #001132).
- b) Becoming a part of the City's acknowledged *Comprehensive Plan*, which contains mechanisms to ensure conformance with its policy framework. The mechanisms in the recommended revisions for North Macadam include amendments to the City's *Zoning Code*, *Zoning Map*, *Central City Fundamental Design Guidelines*, and the *Central City Plan* urban design map.
- c) Being based on research reports that covered all aspects of planning and the citizen involvement effort through which it was developed. The North Macadam Steering Committee, with citizen representatives, guided both the development of the research reports and the citizen involvement process. The reports used in the preparation of these recommended amendments are arranged in chronological order and include the following documents:
  - *North Macadam District Street Plan*, PDOT, December 1996
  - *Marquam Hill to North Macadam District Tram Ridership Analysis*, Parsons Brinckerhoff Quade & Douglas, August 1998
  - *Market Evaluation Study*, E.D. Hovee, October 1998
  - *Willamette Greenway Trail Design Standards*, GreenWorks and Perron Collaborative, October 1998
  - *Willamette Greenway User Survey*, City of Portland, Parks and Recreation, October 1998
  - *North Macadam District Street Design Standards and Criteria Plan Transportation Report*, David Evans & Associates for Lloyd Lindley and PDOT, November 1998
  - *The Economic Benefits of Greenways*, Bureau of Planning, February 1999
  - *Summary of Development Standards*, City of Portland, Bureau of Planning, February 1999
  - *North Macadam District: Framework Plan. North Macadam Steering Committee's Recommended Plan*, accepted by Portland City Council, August 11, 1999
  - *North Macadam District Public Review Drafts: Policy and Zoning Code Implementation Amendments and Updated Design Guidelines*, City of Portland, Bureau of Planning, December 16, 1999
  - *North Macadam Urban Renewal Area, 2 Year and 5 Year Plan*, PDC, January 14, 2000

- *Comments on the North Macadam District Public Review Drafts*, City of Portland, Bureau of Planning, April 20, 2000
  - *North Macadam Transit and Parking Strategies*, PDC, June 24, 2000
  - *Phase II North Macadam Framework Plan: Greenway/ Parks Advisory Committee Vision and Design Program*, StastnyBrun Architects, Inc and the Greenway/Parks Advisory Committee, June 2000
  - *North Macadam District Right-of-Way Criteria and Street Standards*, City of Portland, Office of Transportation, July 20, 2000
  - *North Macadam Jobs Strategy*, PDC, July, 2000
  - *North Macadam Residential and Office Financial Pro Formas (Preliminary Draft)*, E.D. Hovee and Company, July 5, 2000
  - *North Macadam Residential and Office Pro Formas Summary of Work to Date*, E.D. Hovee and Company, July 17, 2000
  - *INTERNAL DRAFT: Development Testing Work for North Macadam Development Options*, Planning Bureau, City of Portland, May 2001
  - *Portland Design Commission Design Advisory for the North Macadam District*, Portland Design Commission, City of Portland, November 2001
  - *Stormwater Management Assessment and Integrated Strategy for the North Macadam District*, prepared by the City of Portland, Bureau of Environmental Services and the Portland Development Commission, January 2002 and URS Corporation, Limno-Tech, Inc. and SERA Architects.
  - *Building Bioscience in Portland: An Assessment of Oregon Health & Science University's Research Prospects and Portland's Bioscience Economic Potential, Technology Partnership Practice*, Battelle Memorial Institute, February, 2002
  - *Marquam Hill Plan Alternative Location Analysis: Land Availability Assessment*, City of Portland, Bureau of Planning, February 2002
  - *Financial Issues Impacting the North Macadam District*, Steven M. Siegel Consulting, May 4, 2002.
- d) Implementing the policies, objectives and actions called for in Portland's *Central City Plan* policy for North Macadam.
- e) Implementing the policies of the *Willamette Greenway Plan*, which is an acknowledged part of Portland's *Comprehensive Plan*. The *Willamette Greenway Plan* calls for restoration of the banks of the Willamette River. The amendments contain provisions for bank restoration. The *Willamette Greenway Plan* calls for increased public access to and along the Willamette River; the amendments establish 13 public rights-of-way and accessways within the North Macadam District to the Willamette River Greenway.
- f) Identifying actions that help the North Macadam District contribute to the realization of the Central City mixed-use design type in Metro's *Region 2040 Plan*. The amendments facilitate the creation of at least 3,000 housing units and up to 10,000 jobs.
- g) Including intergovernmental coordination throughout the initiation, development and review of the *North Macadam Plan* and its implementing measures. See findings for Portland *Comprehensive Plan* Goal 1, Metropolitan Coordination.

21. **Goals 3 and 4, Agricultural Lands and Forest Lands**, requires the preservation and maintenance of the state's agricultural and forest lands, generally located outside of the urban areas. The *North Macadam Plan* supports this goal because the policies and objectives promote the provision of additional housing, commercial, employment and recreation opportunities within an urbanized area inside the Portland metropolitan area urban growth boundary, thereby reducing development pressure on agricultural and forest lands and the need to expand the urban growth boundary.
  
22. **Goal 5, Open Space, Scenic and Historic Areas, and Natural Resources**, requires the conservation of open space and the protection of natural, historic and scenic resources. The amendments are consistent with this goal in the following ways:
  - a) The amendments call for the development of a district that protects, conserves, maintains, and enhances the scenic, historic, economic, and recreational qualities of land along the riverfront and in natural areas.
  - b) The amendments preserve existing view corridors from the protected viewpoints along Terwilliger Boulevard. These viewpoints are defined, described, and protected through the *Scenic Views, Sites and Corridors, Scenic Resources Protection Plan*, which City Council adopted in March 1991.
  - c) The amendments retain a design overlay zone throughout the district, which will protect scenic, historic and architecturally significant values and sites by subjecting all new development to a design review process, which includes consideration of these resources. A further objective of the design overlay zone is to help ensure that new development is visually attractive, compatible with the positive design characteristics of its surroundings and responsive to its surroundings.
  - d) There are no significant wildlife areas within the North Macadam District. However, the amendments support this goal by building communities of native vegetation that will increase the functional habitat values in the riparian zone.
  
23. **Goal 6, Air, Water and Land Resource Quality**, requires the maintenance and improvement of the quality of air, water and land resources. The amendments are consistent with this goal in the following ways:
  - a) The amendments call for implementing measures that include a comprehensive, multi-objective, stormwater management system, bank stabilization, and bank restoration, which will greatly enhance the North Macadam District.
  - b) The amendments foster the development of new employment opportunities in the Central City. Locating new jobs and housing units in the Central City will reduce vehicle miles traveled (VMT) by allowing thousands of residents to live close to where they work and other support services. Compact mixed-use development with a balanced transportation system should reduce VMT in the plan area and positively impact air quality.
  - c) Intense urban use of the vacant and redevelopable sites in the North Macadam District enables efficient use of these lands and helps maintain the region's urban growth boundary and natural resources.
  - d) The amendments call for significant stretches of the riverbank to be enhanced to create riparian habitats that foster fish and wildlife.



- e) The amendments call for the creation of an vibrant, mixed use urban district that is connected to and enriched by a clean and healthy river.
  - f) The amendments will help to create an environment that is not heavily dependent on auto travel by implementing policies and development standards supporting an overall mode split of at least 30 percent for transit, bicycles and pedestrians, with a work trip mode split of at least 40 percent. A 30 percent mode split for transit, bicycles and pedestrians will help reduce air pollution through decreased use of auto travel by creating opportunities for living within close proximity of employment centers.
  - g) The amendments implement the construction and maintenance of the Willamette Greenway Trail in North Macadam. This river trail loop connects the North Macadam District to the 40-Mile Loop, a series of trails and parks that are interwoven and interconnected throughout much of Portland and Multnomah County. A larger system of accessways and enhanced pedestrian streets leads to surrounding districts and neighborhoods. These walkways also link a network of parks and open spaces that provide settings for wildlife and human activity.
  - h) The amendments call for creatively addressing environmental challenges such as, but not limited to, soil contamination and freeway noise.
24. **Goal 7, Areas Subject to Natural Disasters and Hazards**, requires the protection of life and property from natural disasters and hazards. The amendments are consistent with this goal in the following ways:
- a) The amendments foster the transition of a close-in industrial area, which is located adjacent to a densely populated neighborhood and the downtown core, from industrial into residential and commercial uses. Some hazardous substances used in prior industrial practices will be removed or isolated as part of any new development in the district.
  - b) Part of the North Macadam District lies within the 100-year flood plain of the Willamette River. The amendments include actions to reduce risks associated with flooding and reduce the amount of stormwater reaching the Willamette River.
  - c) The Oregon Department of Geology and Mineral Industries has placed much of the North Macadam District in high earthquake risk category. Soil stability is addressed by a combination of existing and acknowledged Goal 5 regulations and building codes. Structural codes have previously been revised to correspond to the higher earthquake risk assessment.
25. **Goal 8, Recreational Needs**, requires satisfaction of the recreational needs of both citizens and visitors to the state. The amendments are consistent with this goal by recommending revisions to policies and development standards and by identifying future actions, including:
- a) Establish approximately 8 acres of new parks and plazas and link them with existing open space facilities through a system of trails for pedestrians and bicyclists to improve pedestrian and bicycle circulation to and within the district. The amendments also provide the opportunity to acquire additional park land through development incentives including bonuses.
  - b) Develop a recreational trail along the edge of the Willamette River. This portion of the greenway trail will be the last developed segment needed to link the riverfront and

Willamette parks. The bifurcated greenway trail also will provide a continuous bicycle and pedestrian route between the Sellwood and Broadway Bridges, thus providing pedestrian and bicycle links between the district and the east side of the river.

- c) Allow for the siting, under some conditions, of museums or exhibit kiosks within the greenway setback.
26. **Goal 9, Economic Development**, requires providing adequate opportunities for a variety of economic activities vital to public health, welfare, and prosperity. The amendments address this goal by recommending revisions to policies and development standards, and by identifying future actions that are anticipated to:
- a) Create a distinctive riverfront neighborhood of exceptional urban character with a diversity of jobs and housing.
  - b) Attract job-intensive businesses that support family-wage incomes.
  - c) Encourage a range of businesses from start-up firms to corporate headquarters, with particular focus on knowledge-based industries, to locate in the district.
  - d) Create the necessary infrastructure, including street improvements, public transit facilities and parking facilities, aimed at fostering the market for office and retail development.
  - e) Identify areas where public services limit the intensity of new development and give a priority to actions that increase the capacity of services, particularly transportation.
27. **Goal 10, Housing**, requires providing for the housing needs of citizens of the state. The amendments for the North Macadam District are consistent with this goal and are intended to foster creation of:
- a) A distinctive riverfront neighborhood of exceptional urban character with a diversity of jobs and housing.
  - b) A required housing area within the district, as shown on the urban design plan map and a required residential development area, as shown in the code.
  - c) At least 3,000 new housing units between now and 2019, with an action calling for analyzing the implications for the district's infrastructure by providing an additional 2,000 housing units.
  - d) At least 800 units of housing affordable to those earning less than 120% median family income (MFI), with at least 375 of these units affordable to those earning less than 50% MFI.
  - e) Housing throughout the district that is attractive and affordable to a broad range of households and incomes.
  - f) Affordable housing, middle-income housing and large dwelling units (3+ bedrooms) within new development, by including within the *Zoning Code* floor area bonuses as a tool to achieve this result.
  - g) Housing incentive programs, by public agencies, in areas that require housing.
  - h) Programs to assist those employed in the district to become owners or renters of housing in the district.

28. **Goal 11, Public Facilities and Services**, requires planning and development of timely, orderly and efficient public service facilities that serve as a framework for urban and rural development. The amendments for the North Macadam District are consistent with this goal in that they:

- a) Identify and prioritize actions needed to improve the provision of public services within North Macadam. Specifically, the amendments call for transportation improvements needed in the areas of public transit, auto circulation and parking.
- b) Contain actions for sanitary sewer, stormwater, water and utility improvements throughout the district.
- c) Contain policies and actions to construct and maintain parks and the Willamette Greenway Trail.
- d) Establish public investment priorities and strategies for transportation, parks and greenway, infrastructure, and jobs and housing.

Findings below addressing compliance with Portland *Comprehensive Plan* Goal 11: A through I, Public Facilities, and related policies and objectives also demonstrate compliance with this goal.

29. **Goal 12, Transportation**, requires providing for a safe, convenient and economic transportation system. The amendments are consistent with this goal because a transportation concept has been developed in conjunction with the amendments. The amendments enable the development of a less auto-dominated environment in the North Macadam District that will reduce pressure on the transportation system by encouraging additional transit, walking and bicycling trips. The amendments for the North Macadam District meet this goal in that they:

- a) Contain policies, objectives and action items that support multimodal transportation system improvements, transit service enhancements and improvements of the bicycle and pedestrian system and facilities serving residents, employees and visitors to and within this urban district, with strong connections to the Willamette River and the greenway.
- b) Provide for the development of adequate parking facilities consistent with transportation demand management strategies.
- c) Establish a North Macadam District Transportation Management Association.
- d) Establish strategies that support the phased development of parking to provide up to 12,000 total off-street spaces by the year 2019, for all parking types including office, retail, residential and visitor spaces.
- e) Implement the *North Macadam District Street Plan* and create an urban grid system with improved internal circulation and vehicular access to, from and within the district.
- f) Address the attractiveness, ease of use, safety, and expansion of opportunities for pedestrians and bicyclists.
- g) Call for the development of bikeways that are separate from pedestrian pathways wherever practical, particularly in parks and open spaces.

Findings below addressing compliance with Portland *Comprehensive Plan* Goal 6, Transportation, and its related policies and objectives also demonstrate compliance with this goal.

30. **Goal 13, Energy Conservation**, requires development of a land use pattern that maximizes the conservation of energy based on sound economic principles. The amendments for the North Macadam District meet this goal in the following ways:
- a) New mixed use, high-density urban development is focused using height and density controls into areas that are or will be served by public transit.
  - b) The amendments for the North Macadam District will foster the creation of up to 10,000 new jobs in an area that will be served by transit, including an extension of the Portland Streetcar line. The location of employment opportunities in close proximity to high-density housing will make it possible to live close to work. Living close to work reduces reliance on the automobile and prevents the depletion of fossil fuels.

Findings below addressing compliance with Portland *Comprehensive Plan* Goal 7, Energy, and its related policies and objectives also demonstrate compliance with this goal.

31. **Goal 14, Urbanization**, requires providing for an orderly and efficient transition of rural lands to urban use. The amendments for the North Macadam District meet this goal by:
- a) Locating the most intense urban development opportunities where public services are presently provided and/or are planned to be improved.
  - b) Supporting the regional urban growth boundary by ensuring that development opportunities exist in this urbanized area, consequently reducing potential need for conversion of rural lands to urban uses.
  - c) Fostering the construction of new urban infrastructure so that intensification of development can occur in the area. The development of high-density housing and employment opportunities in the district will reduce development pressure on lands that are not yet urbanized.

Findings below addressing compliance with Portland *Comprehensive Plan* Goal 2, Urban Development, and its related policies and objectives also demonstrate compliance with this goal.

32. **Goal 15, Willamette River Greenway**, requires the protection, conservation, enhancement, and maintenance of the natural, scenic, historic, agricultural, economic, and recreational qualities of land along the Willamette River. The amendments are consistent with this goal because they recommend the creation of an exemplary open space network that embraces the river as the district's "front yard" and provides a range of urban amenities, beauty, and ecological functions. Specifically, the amendments:
- a) Help implement the city's vision for the greenway, guided by a design coordination plan, developed through a public-private partnership.
  - b) Enhance and help complete the Willamette River greenway and greenway trail connecting it with the rest of the 40-Mile Loop on the west side of the Willamette River.
  - c) Provide opportunities along the river for recreation, education, contemplation and observation of the natural world, as well as alternative and nonpolluting transportation.

- d) Within the greenway, build communities of native vegetation that offer visual variety and functional and enhanced habitat for wildlife.
- e) Include an action to expand the width of the greenway area to 150' wherever possible.
- f) Include an action to develop the greenway using a variety of riverbank treatments to provide for bank stability, improved habitat, and views of the river at key locations.

## Metro Urban Growth Management Functional Plan Findings

Metro has adopted an Urban Growth Management Functional Plan (UGMFP) that requires local jurisdictions to adopt and amend comprehensive plans and land use regulations that are consistent with its provisions.

33. **Title 1, Requirements for Housing and Employment Accommodation**, requires that each jurisdiction contribute its fair share to increasing the development capacity of land within the urban growth boundary (UGB). This requirement is to be generally implemented through citywide analysis based on calculated capacities from land use designations and reported through the *Urban Growth Management Functional Plan Compliance Report, February 1999*. The amendments for the North Macadam District are consistent with this title because:
  - a) The North Macadam District's housing target is new construction of at least 3,000 housing units over the next 20 years, with the possibility of pursuing an additional 2,000 housing units.
  - b) The North Macadam District is already a job center within Portland's *Central City Plan* area. The amendments will also support projects that retain jobs and projects that will create 10,000 net new jobs in the district.
34. **Title 2, Regional Parking Policy**, regulates the amount of parking permitted by use categories for jurisdictions in the region. The amendments for the North Macadam District are consistent with this goal because they establish parking maximums for the North Macadam District that are consistent with the parking maximums in the Central City and encourage the use of transit while reducing congestion. The parking maximums for North Macadam meet or are more restrictive than the parking limitations stated in Table 3.07-2 – Regional Parking Ratios.
35. **Title 3, Water Quality and Flood Management Conservation**, calls for the protection of the beneficial uses and functional values of resources within Metro-defined water quality and flood management areas by limiting or mitigating the impact of development in these areas. The amendments for the North Macadam District are consistent with this title because they:
  - a) Contain actions for improvements to the area's stormwater disposal system such as encouraging ecoroofs and minimizing impervious areas, thereby reducing runoff and enhancing water quality in the Willamette River.
  - b) Help prevent soil erosion and ensure riverbank stability through a mix of structural and non-structural (bioengineered) approaches.
  - c) Develop "green" accessways at regular intervals between district development and the greenway to meet multi-objective stormwater management opportunities.
  - d) Allow landscaping in the space between the building and the required building line, which will support both the stormwater management goals and the urban design goals of the district.

36. **Title 5, Neighbor Cities and Rural Reserves**, defines Metro's policy regarding areas outside of the urban growth boundary (UGB). This title does not apply to plan because the project area is within the urban growth boundary.
37. **Title 6, Regional Accessibility**, recommends street design and connectivity standards that better serve pedestrian, bicycle and transit travel and that support the *Region 2040 Growth Concept*. The amendments for the North Macadam District are consistent with this title in the following ways:
- a) The transportation concept supports the completion of the Central City's street pattern in an area that has an incomplete street network. The street plan supports the expected urban development through the addition of new streets and multimodal facilities integrated with current and future development. A street grid system will be created that helps achieve compliance with Metro's requirements for connectivity in Title 6.
  - b) The amendments will improve street capacity for all modes of transportation, including walking, bicycling, and transit use.
  - c) The amendments contain actions to enhance the mode split for transit and other alternative transportation options within and through the North Macadam District. One option, the Portland streetcar, will link the district with the downtown core and Northwest Portland. It will also provide a transit link from the district to the regional light rail system. A potential bicable aerial tram link between North Macadam and Marquam Hill will further enhance the alternative transportation options and accessibility for the district.
  - d) They support the completion of the Willamette Greenway trail in the North Macadam District. The completion of this portion of the recreational trail will improve bicycle and pedestrian travel within the district and to destinations both north and south of the district.
38. **Title 7, Affordable Housing**, recommends that local jurisdictions implement tools to facilitate development of affordable housing. The amendments for the North Macadam District are consistent with this title because they call for the following:
- a) A land use policy objective to provide at least 800 units of affordable housing to households earning less than 120% median family income (MFI), with at least 375 of these 800 units affordable to those earning less than 50% MFI.
  - b) A land use policy objective that calls for the creation of housing throughout the district that is attractive and affordable to a broad range of household types and incomes.
  - c) Inclusion of *Zoning Code* provisions that provide incentives for developers to earn additional floor area through an affordable housing replacement fund bonus.
39. **Title 8, Compliance Procedures**, outlines compliance procedures for amendments to comprehensive plans and implementing ordinances. The amendments for the North Macadam District are consistent with this title and enhance implementation of the *Region 2040 Growth Concept Plan* through a process that has included all required notifications and reviews. Notification of the Planning Commission's consideration of the tentative proposals for the North Macadam District was sent to Metro on October 13, 2000. An additional notice with a full copy of the text of the amendments was sent to Metro on April 29, 2002.

## Portland Comprehensive Plan Goals Findings

The City's *Comprehensive Plan* was adopted by the Portland City Council on October 16, 1980, and was acknowledged as being in conformance with the statewide planning goals by the Land Conservation and Development Commission (LCDC) on May 1, 1981. On May 26, 1995 and again on January 25, 2000, the LCDC completed its review of the City's final local periodic review order and periodic review work program and reaffirmed the plan's compliance with the statewide planning goals.

40. **Goal 1, Metropolitan Coordination**, calls for the *Comprehensive Plan* to be coordinated with federal and state law and to support regional goals, objectives and plans. The North Macadam planning process has included participation of representatives from city, regional and state agencies, ensuring consistency with applicable local, regional and state plans. The amendments for the North Macadam District are consistent with this goal in the following ways:
- a) Notification of significant proposals, including a public review draft and the amendments, was sent to Tri-Met, Metro and relevant state agencies for compliance with regional, state and federal laws, regulations, and plans.
  - b) Tri-Met has participated in the formation of the amendments as a member of both the North Macadam Steering Committee and the North Macadam Technical Management Team.
  - c) The Oregon Department of Fish and Wildlife has participated through a charrette and in correspondence regarding the habitat requirements of endangered species.

**Policy 1.1, Urban Growth Boundary**, calls for support of the concept of an urban growth boundary for the Portland metropolitan area. The amendments for the North Macadam District support this policy because they will foster the development of significant amounts of higher density housing and the creation of additional jobs at an urbanized location within the UGB. The recommended housing and employment opportunities will help to relieve some of the pressure to expand the UGB.

**Policy 1.4, Intergovernmental Coordination**, calls for continuous participation in intergovernmental affairs with public agencies to coordinate metropolitan planning and project development and maximize the efficient use of public funds. The amendments for the North Macadam District support this policy in the following ways:

- a) The amendments will implement provisions of the *North Macadam Framework Plan* and the *Central City Plan*. These two plans were developed through a process that included extensive review, coordination, and the participation of many state, regional, and local governmental organizations.
- b) The amendments ensure the efficient use of public funds. Tri-Met, the Housing Authority of Portland, the Bureau of Parks and Recreation, the Bureau of Environmental Services, the Bureau of Development Services (previously known as Office of Planning and Development Review), and the Portland Office of Transportation all worked with the Portland Development Commission and the Bureau of Planning in developing the amendments for the North Macadam District.



- c) The Planning Bureau sent the 45-day notice of the amendments for the North Macadam District to the Oregon Department of Land Conservation and Development (DLCD) on September 27, 2000.

**Policy 1.5, Compliance with Future Metro Planning Efforts**, calls for the review and update of Portland's *Comprehensive Plan* to comply with the *Regional Framework Plan* adopted by Metro. The amendments for the North Macadam District support this policy because they will help to foster the concentration of higher density development within the Central City. Also, the amendments will help achieve the housing and jobs targets for the North Macadam District of the Central City required by Metro's *Functional Plan*. Further, compliance with this policy is also stated in the Metro UGMFP findings above (findings 33-39).

- 41. **Goal 2, Urban Development**, calls for maintenance of Portland's role as the major regional employment, population and cultural center by expanding opportunities for housing and jobs while retaining the character of established residential neighborhoods and business centers. The amendments for the North Macadam District are consistent with this goal because they foster the creation of at least 3,000 new housing units and up to 10,000 new jobs at a location within the Central City. This will reduce pressure for population increases within established neighborhoods.

**Policy 2.1, Population Growth**, calls for accommodating the projected population increase within the existing city boundary. The amendments for the North Macadam District further implement this policy by fostering the development of at least 3,000 new housing units in a new Central City neighborhood that was formerly an industrial area. In addition, recommended code amendments offer floor area bonuses as an incentive for residential and mixed-use development within the North Macadam District.

**Policy 2.2, Urban Diversity**, calls for promotion of a range of living environments and employment opportunities to attract and retain a stable and diversified population. The amendments support this policy by creating opportunities for increased amounts of high-density housing. The amendments support the creation of a new neighborhood with at least 3,000 housing units and up to 10,000 jobs to accommodate a diverse population.

**Policy 2.6, Open Space**, calls for providing opportunities for recreation and visual relief through the preservation of parks, cemeteries, golf courses, trails, and parkways; development of a loop trail that encircles the city; and promotion of the recreational use of the city's rivers, creeks, lakes, and sloughs. The amendments for the North Macadam District support this policy in the following ways. They:

- a) Encourage a diversity of well-designed open spaces throughout the district to serve residents, employees and visitors.
- b) Contain actions to develop a strategy, including funding options, for the acquisition, maintenance, and development of a system of parks throughout North Macadam.
- c) Contain an objective and actions to complete the Willamette Greenway Trail in the district.

- d) Provide incentives for the private sector to contribute to the quality and quantity of open space in the district.
- e) Provide opportunities for both active and passive recreation and visual relief by promoting and providing recreational opportunities along the Willamette River.

**Policy 2.7, Willamette River Greenway Plan,** calls for the implementation of the *Willamette Greenway Plan*, preserving a strong working river while promoting recreation, commercial, and residential waterfront development along the Willamette River south of the Broadway Bridge. The amendments will continue to comply with the requirements of the *Willamette Greenway Plan* within North Macadam by maintaining and adding to the greenway setback in North Macadam, and by clarifying trail requirements along the river for this subdistrict of the Central City. In addition, the amendments also:

- a) Provide physical and visual connections to the Willamette River from both the district and the adjoining neighborhoods.
- b) Integrate natural resource values related to water quality, stormwater, and fish and wildlife habitat into the district's infrastructure and urban form.
- c) Implement the city's vision for the greenway, guided by a design coordination plan, developed through a public-private partnership.
- d) Complete the Willamette River greenway and greenway trail by connecting it with the rest of the 40-Mile Loop trail.
- e) Builds communities of native vegetation within the greenway to offer visual and functional habitat for wildlife.

**Policy 2.9, Residential Neighborhoods,** calls for allowing a range of housing types to accommodate increased population while improving and protecting the city's residential neighborhoods. The amendments for the North Macadam District support this policy by enabling the creation of a complete mixed-use neighborhood with at least 3,000 new housing units and up to 10,000 jobs, as well as retail space, parks and open spaces, a street grid, streetcar and transit stops. The residential and employment opportunities presented by the underutilized North Macadam District will help alleviate some of the growth pressures on existing neighborhoods.

**Policy 2.10, Downtown Portland,** calls for reinforcement of downtown Portland as the principal commercial, service, cultural and high density housing center in the city and the region. Additionally, the policy calls for maintaining downtown as the principal retail center in the city. The amendments for the North Macadam District support this policy because they call for development of high-density housing and employment opportunities in and adjacent to the downtown core. North Macadam residents and employees will provide a nearby market for downtown's retail center. The amendments support the development of public transit connections, including the Portland Streetcar linking the downtown area with the North Macadam District.

**Policy 2.11, Commercial Centers,** calls for expanding the role of major commercial centers that are well served by transit and strengthening these centers with uses that are

compatible with surrounding uses. The amendments for the North Macadam District support this policy because they reinforce retail and office use in the Central City, both in downtown and in the North Macadam District. Specifically, the amendments include action items to consider the feasibility of developing a business innovation center in the district and to develop the telecommunications infrastructure needed to ensure that North Macadam is a competitive location for high technology jobs. The amendments also call for attracting job-intensive businesses that support family-wage incomes.

**Policy 2.12, Transit Corridors**, calls for providing a mixture of activities along major transit routes and main streets supporting the use of transit and compatible with the surrounding area, especially where vacant land affords an opportunity for infill development. The amendments for the North Macadam District support this policy in that they:

- a) Encourage development types and uses that encourage trips other than by single occupancy vehicles.
- b) Promote pedestrian-oriented development that reinforces connections to transit facilities and the greenway and parks.
- c) Facilitate the extension of the Portland Streetcar line into the North Macadam District.
- d) Foster the development of jobs, housing, and retail along the streetcar line.
- e) Improve the pedestrian and bicycle connections within the North Macadam District and between the North Macadam District and the adjacent residential and commercial areas.
- f) Prepare a transit service strategy for the district that includes phasing and implementation and establish an implementation plan for the transit hub.
- g) Encourage increased transit service in the North Macadam District while maintaining existing service levels in adjacent districts and neighborhoods.

**Policy 2.15, Living Closer To Work**, calls for the location of greater residential density, including affordable housing, near major employment centers and encouraging home-based work where the nature of the work is not disruptive to the neighborhood. The amendments for the North Macadam District support this policy because they will foster the creation of at least 3,000 new housing units and up to 10,000 new jobs in the district. The amendments support conducting a market study to determine the feasibility of developing a business innovation center in the district. The amendments also call for developing the telecommunications infrastructure within the district, ensuring North Macadam's ability to attract high technology jobs.

**Policy 2.16, Strip Development**, calls for discouraging the development of strip commercial areas and focusing future activity in such areas to create a more clustered pattern of commercial development. The amendments for the North Macadam District support this policy because they emphasize the concentration of higher density urban development within the Central City area.

**Policy 2.17, Transit Stations and Transit Centers**, calls for encouraging transit-oriented development patterns at light rail transit stations and at transit centers to provide for easy access to transit service. The amendments for the North Macadam District support this policy because they foster the intensive development of at least 3,000 new housing units and up to 10,000 new jobs close to the extension of the Portland Streetcar line and additional bus routes. These amendments also emphasize a pedestrian- and bicycle-oriented environment that supports transit use throughout the district.

**Policy 2.18, Transit Supportive Density**, calls for establishing average minimum residential densities within one-quarter mile of existing and planned transit streets and transit corridors. Where existing development patterns preclude these densities, this policy calls for allowing increased density on vacant lots. The amendments support this policy because the recommended development standards for this area increase the allowed density, including adding bonus incentives for residential development.

**Policy 2.19, Infill and Redevelopment**, calls for encouraging infill and redevelopment as a way to implement the Livable City growth principles and accommodate expected increases in population and employment, particularly within the Central City. The amendments support this policy by promoting the development and redevelopment of a sparsely developed portion of the Central City as a high density, mixed use, urban neighborhood of at least 3,000 housing units and up to 10,000 jobs.

**Policy 2.20, Utilization of Vacant Land**, calls for providing full utilization of existing vacant land except in those areas designated as open space. The amendments for the North Macadam District support this policy because the programs and projects ensure that development and redevelopment of existing vacant lands are at densities that maximize the area's potential for absorbing growth.

**Policy 2.22, Mixed Use**, calls for continuation of a mechanism that will allow for the maintenance and enhancement of areas of mixed use character where areas act as buffers and where opportunities exist for the creation of mixed use nodes. The amendments for the North Macadam District support this policy because the district is designated and zoned for Central Commercial (CX), which allows mixed commercial and residential uses. The amendments encourage complementary mix of housing, employment, retail, open space, and recreational and institutional facilities.

**Policy 2.25, Central City Plan**, calls for encouraging continued investment within Portland's Central City while enhancing its attractiveness for work, recreation and living. This policy further calls for implementation of the *Central City Plan* by coordinating development, providing aid and protection to Portland's citizens, and through the enhancement of the Central City's special natural, cultural and aesthetic features. These amendments support this policy because they help fulfill the policies and objectives of the *Central City Plan* by encouraging development activities in the North Macadam District. The *Central City Plan* findings below also support this goal.

42. **Goal 3, Neighborhoods**, calls for preserving and reinforcing the stability and diversity of the city's neighborhoods while allowing for increased density in order to attract and retain long-term residents and businesses and insure the city's residential quality and economic

vitality. The amendments for the North Macadam District are consistent with this goal because they foster the development of a new high density urban neighborhood in the Central City, reducing development pressures on existing neighborhoods within the city. The *North Macadam Plan* calls for the development of at least 3,000 new housing units in the next 20 years.

**Policy 3.1, Physical Conditions**, calls for providing and coordinating programs to prevent the deterioration of existing structures and public facilities. The amendments for the North Macadam District support this policy with actions aimed at completion of the street network and improving the limited existing infrastructure and public facilities within the North Macadam District for the benefit of property owners and future developers, employers and residents of the district.

**Policy 3.2, Social Conditions**, calls for providing and coordinating programs to promote neighborhood interest, concern, and security and to minimize the social impact of land use decisions. The amendments for the North Macadam District support this policy with actions to create amenities within the district that will benefit the residents of the area and the entire city. These programs include the creation of affordable housing, creation of new parks, and the completion of the Willamette Greenway Trail. The amendments also support the extension of the Portland Streetcar to the North Macadam District, which will form a transit link to the University District, Downtown, River District, and the Northwest District.

**Policy 3.3, Neighborhood Diversity**, calls for promoting neighborhood diversity and security by encouraging diversity in age, income, and race and ethnic background. The amendments for the North Macadam District support this policy by fostering the development of a new mixed income neighborhood. Objectives for the plan include creating housing throughout the district that is attractive and affordable to broad range of household types and incomes. The plan also promotes both ownership and rental housing options within the district.

**Policy 3.5, Neighborhood Involvement**, provides for the active involvement of neighborhood residents and businesses in decisions affecting their neighborhood. The amendments for the North Macadam District are consistent with this policy because the development of the amendments for the North Macadam District included outreach to and participation of the North Macadam Development Council and the Corbett-Terwilliger-Lair Hill Neighborhood Association as well as other interested stakeholder groups. Additional public outreach and involvement activities are described in the findings on State Goal 1, Citizen Involvement.

**Policy 3.6, Neighborhood Plans**, calls for maintenance and enforcement of neighborhood plans that are consistent with the *Comprehensive Plan* and that have been adopted by City Council. The North Macadam District is a part of both the Central City and the Corbett-Terwilliger-Lair Hill neighborhood. The amendments for the North Macadam District support this policy in the following ways:

- a) The *Corbett-Terwilliger-Lair Hill Policy Plan* contains a policy that calls for the North Macadam District to develop with a mixture of land uses that includes housing. The amendments for the North Macadam District will help to implement

this policy, fostering the construction of up to 3,000 new housing units in North Macadam. The amendments further support this policy by ensuring that the area develops as a mixed-use, high-density urban neighborhood that includes housing and employment opportunities.

- b) One of the policies of the *Downtown Community Association Residential Plan*, adopted in July 1996, is to enhance amenities in downtown. The amendments for the North Macadam District improve the downtown's residential and employment environment by containing improvements to the transportation infrastructure, including an extension of the Portland Streetcar through the district. In addition, the amendments contain policies and actions to create new parks and the completion of the Willamette River Greenway in North Macadam, both of which will provide new open space, recreational opportunities and transportation links for residents of the downtown, as well as other neighborhoods.

43. **Goal 4, Housing**, calls for enhancing Portland's vitality as a community at the center of the region's housing market by providing housing of different types, tenures, density, sizes, costs, and locations that accommodate the needs, preferences, and financial capabilities of current and future households. The amendments for the North Macadam District support this goal because they foster the construction of up to 3,000 new residential units in the North Macadam District for households of varying incomes.

**Policy 4.1, Housing Availability**, calls for ensuring that an adequate supply of housing is available to meet the needs, preferences and financial capabilities of Portland's households now and in the future. The amendments for the North Macadam District support this goal because they foster the construction of 3,000 new housing units in the North Macadam District across a range of households and incomes. Bonus floor area and height are provided as incentives for the development of low to moderate-income households for ownership and rental housing.

**Objective A**, calls for designating sufficient buildable land for residential development to accommodate Portland's share of regional household growth to reduce the need for urban growth boundary expansions. The amendments support this objective by maintaining the Central Commercial (CX) zoning for the district, which allows housing. The amendments also include a residential emphasis area south of the Ross Island Bridge. Increased floor area and height, earned through bonus provisions, also help to accommodate additional residential development in North Macadam.

**Objective B**, calls for developing new relationships and mechanisms that increase private investment in, and production of, housing. The amendments support this objective because they include policies and objectives that call for promoting public investments that leverage private investments that meet the district's goals, including housing opportunities.

**Objective E**, calls for encouraging the efficient use of infrastructure by focusing well-designed new and redeveloped housing on vacant, infill, or under-developed land. Currently, much of the North Macadam district consists of vacant land. The amendments support this objective because they encourage the overall development,

including new infrastructure that fosters a high-density urban neighborhood with at least 3,000 new housing units.

**Objective F**, calls for encouraging housing design that supports the conservation, enhancement, and continued vitality of areas of the city with special scenic, historic, architectural or cultural value. The amendments support this objective because they include design guidelines that consider the integration of ecological concepts in site and development design. The design guidelines also call for the consideration of North Macadam's history and special qualities.

**Policy 4.3, Sustainable Housing**, calls for encouraging housing that supports sustainable development patterns by promoting the efficient use of land, conservation of natural resources, easy access to public transit and other efficient modes of transportation, easy access to services and parks, resource efficient design and construction, and the use of renewable energy sources. The amendments for the North Macadam District support this policy because they promote the construction of high-density housing that makes efficient use of land and is energy efficient due to common wall construction.

**Objective A**, calls for the placement of new residential developments at locations that increase potential ridership on the regional transit system and support the Central City as the region's employment and cultural center. The amendments support this objective because the North Macadam District will be served by public transit, including the extension of the Portland Streetcar through the district. Increased residential and employment opportunities in the district will also increase potential transit ridership.

**Objective B**, calls for establishing development patterns that combine residential with other compatible uses in mixed-use areas such as the Central City. The amendments support this objective because future development of the North Macadam district will include residential, office, commercial, retail and recreation uses.

**Policy 4.4, Housing Safety**, calls for ensuring a safe and healthy built environment and assisting in the preservation of sound existing housing and the improvement of neighborhoods. The amendments for the North Macadam District support this policy because the construction of at least 3,000 new housing units in the district will reduce the development pressure on existing residential areas in the Corbett-Terwilliger-Lair Hill neighborhood. New housing constructed in the district will meet all applicable state and city building codes, ensuring that it will be safe and well constructed.

**Policy 4.6, Housing Quality**, calls for encouraging the development of housing that exceeds minimum construction standards. The amendments for the North Macadam District support this policy because they contain provisions and incentives for housing that is attractive, well-designed, and contains elements such as eco-roofs and large household dwelling unit bonuses.

**Policy 4.7, Balanced Communities**, calls for striving for livable mixed-income neighborhoods that collectively reflect the diversity of housing types, tenures (rental and ownership) and incomes. The amendments for the North Macadam District support this policy because they encourage the creation of housing throughout the district that is attractive and affordable to a broad range of households and incomes. The amendments also call for promoting both ownership and rental housing options.

**Objective A**, calls for achieving a distribution of household incomes similar to the income distribution found citywide and in the Central City. The amendments support this objective because they seek to create housing that is affordable to a broad range of incomes, including the provision of at least 800 units of housing affordable to those earning less than 120% of the region's median family income.

**Objective B**, calls for maintaining income diversity by allowing a mix of housing types and tenures. The amendments support this objective because they seek to promote both ownership and rental housing options. The amendments also encourage housing opportunities for those employed in the district and nearby job centers.

**Objective D**, calls for encouraging housing opportunities for extremely low and very low income households (below 50% MFI) to avoid their concentration in any one area of the city. The amendments support this objective because they call for providing at least 375 housing units in the district that are affordable to those earning less than 50% median family income.

**Objective G**, calls for encouraging the development and preservation of housing that serves a range of household income levels at locations near public transit and employment opportunities. The amendments support this objective. See the findings for Policy 4.3, Sustainable Housing, Objective A and Policy 4.7, Balanced Communities.

**Policy 4.8, Regional Housing Opportunities**, calls for ensuring opportunities for economic and racial integration throughout the region by advocating for the development of a range of housing options affordable to all income levels throughout the region. The amendments for the North Macadam District support this policy because they call for creating housing throughout the district that is attractive and affordable to a broad range of households and incomes. The amendments also offer incentives for affordable housing.

**Objective B**, calls for supporting regulations and incentives that encourage the production and preservation of housing that is affordable at all income levels throughout the region. The amendments support this objective. See the findings for Policy 4.7, Balanced Communities, Objective A.

**Policy 4.9, Fair Housing**, calls for ensuring freedom of choice in housing type, tenure, and neighborhood for all, regardless of race, color, age, gender, familial status, sexual orientation, religion, national origin, source of income or disability. The amendments for the North Macadam District support this policy because they include policies,



objectives and actions to ensure that housing in North Macadam is available to households of varying incomes, including low to moderate-income households.

**Policy 4.10, Housing Diversity**, calls for promoting creation of a range of housing types, prices, and rents to create culturally and economically diverse neighborhoods and allow those whose housing needs change, to find housing that meets their needs within their existing community. The amendments for the North Macadam District support this policy because they include policies and objectives to create housing throughout the district that is attractive and affordable to a broad range of households and incomes, including low to moderate-income households. The construction of high density housing in North Macadam will also expand housing choices for those living in surrounding neighborhoods who may want to remain in the community but may not want to live in single family detached housing.

**Objective A**, calls for keeping Portland inviting to households with children by ensuring through public and private action the availability of housing that meets their needs throughout the city. The amendments support this objective because they include bonus provisions for the development of large household dwelling units (more than two bedrooms), which would appeal to households with children.

**Objective B**, calls for supporting homeownership opportunities in new multidwelling housing by encouraging the creation of condominiums, cooperatives, mutual housing associations and limited equity cooperatives. The amendments are consistent with this objective because they encourage the development of high-density residential units and do not preclude the development of condominiums within the district.

**Objective C**, calls for accommodating a variety of housing types that are attractive and affordable to potential homebuyers at all income levels. The amendments support this objective. See the findings for Policy 4.7, Balanced Communities.

**Objective E**, calls for supporting opportunities for renter households by providing a range of housing types, sizes and rent levels throughout the city. The amendments support this policy. See the findings for Policy 4.7, Balanced Communities.

**Policy 4.11, Housing Affordability**, calls for promoting the development and preservation of quality housing that is affordable across a range of household income levels. The amendments for the North Macadam District support this policy because they call for creating housing throughout the district that is attractive and affordable to a broad range of households and incomes. The amendments also call for providing at least 800 housing units that are affordable to those earning less than 120% MFI, with at least 375 of those units affordable to those earning less than 50% MFI.

**Objective A**, calls for including strategies and actions that encourage the provision of housing affordable to all income levels in neighborhood, community and other area plans that pertain to housing. The amendments support this policy because they include strategies and actions such as developing a Housing Implementation Strategy to achieve district housing goals, including the production target for at least 788

affordable housing units as further defined by income category. Another action calls for promoting the creation of housing incentive programs, by public agencies, in areas of required housing within the district.

**Objective D**, calls for promoting conservation programs and energy-efficient practices and programs that reduce housing operating costs for energy, sewer and water usage. The amendments support this policy because they seek to integrate development with the natural landscape by promoting low impact development strategies that minimize impervious areas, use multi-objective stormwater management systems, create water-quality friendly streets and parking and enhance natural area revegetation. The amendments also include actions that call for the creation of eco-friendly regulations for construction and design, including eco-roofs.

**Objective E**, calls for working in partnership with the Housing Authority of Portland to preserve its portfolio of federally assisted housing at rent levels affordable to extremely and very low income households. The amendments support this policy because the Housing Authority of Portland is listed as an implementor of an action item that seeks to develop a Housing Implementation Strategy to achieve the district's housing goals, including the production of affordable housing units.

**Policy 4.12, Housing Continuum**, calls for ensuring that a range of housing from temporary shelters, to transitional, and to permanent housing for renters and owners is available, with appropriate supportive services for those who need them. The amendments for the North Macadam District support this policy because they seek the creation of housing throughout the district that is attractive and affordable to a broad range of households and incomes. In addition, bonus floor area is available for construction of middle-income housing, as well as for financial contributions to the Affordable Housing Replacement Fund.

**Objective D**, calls for stimulating production of a variety of housing types that are affordable and responsive to the needs of very low, low, moderate and middle-income households. The amendments support this objective because they include a policy that calls for the provision of at least 800 housing units that are affordable to those earning less than 120% MFI, with at least 375 of those units affordable to those earning less than 50% MFI.

**Policy 4.13, Humble Housing**, calls for ensuring that there are opportunities for development of small homes with basic amenities to ensure housing opportunities for low-income households, members of protected classes, households with children, and households supportive of reduced resource consumption. The amendments for the North Macadam District support this policy because they will foster the development of at least 3,000 new housing units. These housing units are expected to include apartments and condominiums, which are typically smaller, more energy efficient and less costly to maintain than single family detached dwelling units and other low density housing types.

**Policy 4.14, Neighborhood Stability**, calls for stabilizing neighborhoods by promoting: 1) a variety of homeownership and rental housing options; 2) security of housing tenure; and 3) opportunities for community interaction. The amendments for the North

Macadam District support this policy. See findings for Policy 4.3, Sustainable Housing and Policy 4.7, Balanced Communities.

**Objective A**, calls for promoting and maintaining homeownership options within neighborhoods. The amendments support this objective because they seek to promote both ownership and rental housing options in the North Macadam district.

**Objective B**, calls for promoting housing opportunities that build a sense of community, civic involvement and neighborhood pride. The amendments support this objective because they encourage a complementary mix of housing, employment, retail, open space, recreational and institutional facilities. The amendments also encourage housing opportunities for those employed in the district and nearby job centers.

**Objective E**, calls for increasing opportunities for construction, acquisition or preservation of housing affordable to area residents in locations where rising property values and gentrification contribute to their involuntary displacement. The amendments support this objective. See findings for Policy 4.7, Balanced Communities, Objective D.

**Objective K**, calls for enhancing the quality of the design of new infill residential development. The amendments support this objective. The North Macadam District includes the design overlay zone with new development subject to design review. See findings for Policy 4.1, Housing Availability, Objective F.

44. **Goal 5, Economic Development**, calls for fostering a strong and diverse economy that provides a full range of employment and economic choices for individuals and families in all parts of the city. The amendments for the North Macadam District are consistent with this goal because they support the types of development and infrastructure necessary to attract target industries. The target industries include medical and bioscience technologies. These target industries are supportive of the job density goals of the area. The amendments provide the framework for the creation of a district that will support up to 10,000 new jobs.

**Policy 5.1, Urban Development and Revitalization**, calls for encouraging investment in the development, redevelopment, rehabilitation and adaptive reuse of urban land and buildings for employment and housing opportunities. The amendments support this policy because they will facilitate the redevelopment of vacant and underutilized land for a new urban neighborhood containing at least 3,000 new housing units and up to 10,000 new jobs. In addition, the amendments include a policy to support near- and long-term district goals through strategic public and private investment and development.

**Objective B**, calls for supporting programs and policies which serve to maintain Downtown Portland and the Lloyd District as the major regional employment, cultural, business and governmental center. It also calls for implementing the Central City Plan and carrying out the urban development goals of the Comprehensive Plan. The amendments support this objective because they advance the implementation of the Central City Plan, particularly the goals, policies and

objectives for the North Macadam subdistrict. In addition, the amendments call for the provision of 10,000 jobs and at least 3,000 housing units by 2019.

**Objective D**, calls for the provision of a diversity of housing types and price ranges to meet the varied needs of Portland citizens, including market, moderate and low income housing. The amendments support this objective. See findings for Policy 4.10, Housing Diversity.

**Objective E**, calls for defining and developing Portland's cultural, historic, recreational, educational and environmental assets as important marketing and image-building tools as the city's business districts and neighborhoods. The amendments support this objective because they include the recognition of the historic elements of the district as it transitions from an industrial area to an urban mixed-use neighborhood. The amendments also call for promoting building forms that respect the relationship of the district to the river and the adjacent neighborhoods. This includes providing physical and visual connections to the Willamette River from the district and adjoining neighborhoods.

**Objective F**, calls for recognizing and supporting environmental conservation and enhancement activities for their contribution to the local economy and quality of life for residents, workers and wildlife in the city. The amendments support this objective because they include a policy objective to promote design and investment, both public and private, that reflects a complementary relationship between the built environment and open space in the district. The amendments also include a policy to improve the environmental conditions of the district through the design of sites, buildings, the transportation system and parks, greenway and open space.

**Policy 5.2, Business Development**, calls for sustaining and supporting business development activities to retain, expand, and recruit businesses. The amendments for the North Macadam District support this policy because they include a District Development policy objective that calls for encouraging a range of businesses from start-up firms to corporate headquarters, with particular focus on knowledge-based industries, especially bioscience technology, to locate in the district. The district development goals include providing up to 10,000 new jobs by the year 2019.

**Objective A**, calls for developing incentives for businesses to locate and stay in Council-designated target areas. The objective also calls for encouraging Council-designated target industries to locate, stay and expand within the City, particularly in the target areas. The North Macadam plan area lies within the larger North Macadam Urban Renewal Area. The amendments support this objective because they encourage the provision of up to 10,000 new jobs, including medical and bioscience industries such as a potential expansion of Oregon Health and Science University (OHSU) into the district.

**Objective B**, calls for incorporating economic considerations in long-range planning activities undertaken by the Bureau of Planning. The amendments support this objective because the Portland Development Commission has played an important role in the advancement of *North Macadam Plan* policies and objectives related to

the district's economic development. This includes an objective to attract job-intensive businesses that support family wage incomes. Actions related to the district's economic development include developing a district economic development strategy to promote bioscience businesses within the district and conducting a marketing study to determine the feasibility of developing a business innovation center in the district.

**Objective D**, calls for ensuring citizen involvement in the policy development and decision-making process on publicly funded economic development projects and activities. The amendments support this objective. See findings for Statewide Planning Goal 1, Citizen Involvement for a listing of citizen involvement opportunities included within the North Macadam planning process.

**Policy 5.3, Community-Based Economic Development**, calls for supporting community-based economic development initiatives consistent with the *Comprehensive Plan* and compatible with neighborhood livability. The amendments support this policy because they will foster the development of a dense, mixed use urban environment that includes necessary commercial, retail and institutional services and amenities. The amendments also call for encouraging a range of businesses from start-up firms to corporate headquarters, with particular focus on knowledge-based industries, to locate in the district.

**Objectives A and B**, call for assisting and coordinating with broadly-based community coalitions to implement development objectives, programs and actions of adopted community or neighborhood plans. The amendments support this objective because this plan's implementation actions include several state and city agencies, the CTLH neighborhood association, and private individuals, groups and/or organizations as action implementors.

**Policy 5.4, Transportation System**, calls for promotion of a multimodal regional transportation system that encourages economic development. The amendments for the North Macadam District support this policy because the *North Macadam Plan* includes policies, objectives, action items that call for improvements to the existing street system to provide better access to the regional transportation system. These improvements include but are not limited to the following:

- a) Strategies that support the phased development of parking to provide up to 12,000 total off-street spaces by the year 2019.
- b) The extension of the Portland Streetcar through the district
- c) Potential development of a suspended cable transportation system between Marquam Hill and North Macadam.
- d) Improved access to and within the district by creating an urban grid system that provides for internal circulation and connects to adjacent neighborhoods and the greenway trail.
- e) High-quality pedestrian environments that establish strong linkages between district uses, surrounding downtown, Lake Oswego, and adjacent neighborhoods.

- f) Increased transit service in the district while maintaining existing service levels in adjacent districts and neighborhoods.

**Objective C**, calls for the City to work closely with public agencies, such as Tri-Met, and the private sector to deliver an efficient and effective transportation system and network and to improve transit connections between residential communities and work sites. The amendments support this objective because they support the development and extension of the Portland Streetcar and a regional streetcar line that connects the district to downtown, Lake Oswego, and adjacent neighborhoods. The streetcar would connect to bus routes and light rail service provided by Tri-Met. The amendments also call for establishing a high-density district of at least 3,000 housing units and up to 10,000 jobs, thus providing residential opportunities close to employment centers.

**Objective D**, calls for supporting transit-supportive development and redevelopment along designated transit streets and in the vicinity of light rail stations. The amendments support this objective because they call for a high density, mixed-use district, which includes residential and employment uses. Bonus provisions and ability to transfer floor area help foster development, including in the western portion of the district near Macadam, Moody, and Bond, which will serve as the primary transit streets.

**Objective E**, calls for promoting safe and pleasant bicycle and pedestrian access to and circulation within commercial areas and providing convenient, secure bicycle parking for employees and shoppers. The amendments support this objective because they call for providing high-quality pedestrian environments that establish strong linkages between district uses (including commercial), surrounding neighborhoods, downtown, and the greenway. The amendments also call for promoting pedestrian-oriented development that reinforces connections to transit facilities and the greenway and parks. Recommended code amendments include provisions that require locker rooms and long-term bicycle parking in larger commercial projects.

**Objective G**, calls for pursuing special opportunities for alternative modes of transportation to serve as attractors themselves, including projects such as water taxis, streetcars and bicycle/pedestrian facilities and amenities. The amendments support this objective because they include policies, objectives and actions that support the development of multimodal transportation system in North Macadam. This includes an extension of the Portland Streetcar to the district, studying the feasibility of a river taxi system that serves the entire Central City and completing the Willamette Greenway trail to link North Macadam to the rest of the 40-Mile Loop Trail.

**Objective H**, calls for pursuing transportation and parking improvements that reinforce commercial, industrial and residential districts and promote development of new commercial, industrial and residential districts. The amendments support this objective because the *North Macadam Plan* recognizes and endorses the redevelopment of an underutilized portion of the Central City into a high density, mixed use urban district that includes residential, commercial and other employment opportunities. The amendments include a transportation policy that supports the

development of a multimodal transportation system to serve residents, employees and visitors to and within this urban district, with strong connections to the Willamette River and the greenway. Establishing effective parking strategies to address existing and planned development, including a code provision to allow shared residential parking if approved through Central City Parking Review, is a key objective of the North Macadam transportation policy.

**Policy 5.5, Infrastructure Development**, calls for the promotion of public and private investments in public infrastructure to foster economic development in Council-designated target areas. The amendments for the North Macadam District support this policy through the plan's District Development policy which calls for supporting near- and long-term goals for the district through strategic public and private investment and development. This plan policy includes an objective to promote public investments that leverage private investments in the district. In addition, the amendments support Policy 5.5 by improving access to and within the district. The amendments also support the development of water, sanitary, and stormwater systems to support higher densities while complying with local, state and federal regulations for fish protection and water quality. In addition, development in this district will allow greater transit options and opportunities for both the future residents of North Macadam, as well as the residents in the adjacent neighborhoods.

**Objective E**, calls for using public investment as a catalyst to foster private development in Council-designated target areas. The amendments support this objective. See findings for Policy 5.4, Infrastructure Development.

**Policy 5.6, Area Character and Identity within Designated Commercial Areas**, calls for promotion and enhancement of the special character and identity of Portland's designated commercial areas. The amendments for the North Macadam District, a subdistrict of the Central City, support this policy by fostering an integrated and unique relationship between the urban character of the district with the Willamette River and the Willamette Greenway. This includes promoting building forms that respect the relationship of the district to the river and the adjacent neighborhoods and integrating natural resource values into the district's infrastructure and urban form.

**Objective C**, calls for promoting voluntary improvements to the physical environment within commercial areas that are attractive to customers and visitors. The amendments support this objective because the amended code will include voluntary bonus provisions that promote physical improvements such as water features, public fountains, additional greenway or open space within the district. The amendments do not preclude the use of these bonuses with commercial development.

**Objective D**, calls for implementing crime prevention measures, including design improvements, in commercial areas to increase the safety of business people, employees and customers and to maintain and promote neighborhood patronage. The amendments are consistent with this objective because they include policies that promote pedestrian-oriented development and encourage a complementary mix of housing, employment, retail, open space, recreational and institutional facilities, which foster an active, populated environment at all hours. In addition, the

amendments include design guidelines that seek to incorporate street level lighting of public areas that provides a sense of community, activity and security.

**Policy 5.7, Business Environment Within Designated Commercial Areas**, calls for promotion of a business environment within designated commercial areas that is conducive to the formation, retention, and expansion of commercial businesses. The amendments for the North Macadam District support this policy in the following ways:

- a) Support the development of infrastructure in the district
- b) Identify streets where there will be a retail emphasis and provide development and zoning tools to support retail along these identified streets
- c) Develop policies to attract target industries and provide policy to support these target industries and enhance fulfillment of the job density goals of the district.

**Objective A**, calls for promoting business, economic growth, formation of capital and the creation and retention of jobs in designated commercial areas. The amendments are consistent with this objective because they include policy language to encourage a range of businesses from start-up firms to corporate headquarters, with particular focus on knowledge-based industries, especially bioscience technology, to locate in the district.

**Objective F**, calls for encouraging the retention and development of higher density housing and mixed-use development within commercial areas. The amendment support this objective because they include providing for 10,000 jobs and at least 3,000 housing units in the district by the year 2019.

45. **Goal 6, Transportation**, calls for protection of the public interest and investment in the public right-of-way and transportation system by encouraging development of a balanced, affordable and efficient transportation system consistent with the Arterial Streets Classification and Policies by:

- Providing adequate accessibility to all planned land uses;
- Providing safe and efficient movement of people and goods while preserving, enhancing, or reclaiming neighborhood livability;
- Minimizing the impact of inter-regional trips on city neighborhoods, commercial areas, and the city street system by maximizing the use of regional trafficways and transitways for such trips;
- Reducing reliance on the automobile and per capita vehicle miles traveled; Guiding the use of the city street system to control air pollution, traffic and livability problems; and
- Maintaining the infrastructure in good condition.

The Transportation Element of the *Comprehensive Plan*, effective June 21, 1996, is the successor document to the Arterial Streets Classifications and Policies but the name has not been revised throughout the *Comprehensive Plan* text. The two names are used synonymously in these findings.



The amendments for the North Macadam District are consistent with this goal because the *North Macadam Plan* includes policies, objectives and action items that call for supporting pedestrian-oriented development types and uses that encourage trips other than by single occupancy vehicles. The amendments also call for the development of a multimodal transportation system that serves residents, employees and visitors to the district. In particular, the transportation policy includes an objective to improve access to and within the district by creating an urban grid system that provides for internal circulation and connects to adjacent neighborhoods and the greenway trail. An additional objective of these amendments including providing at least 3,000 housing units and 10,000 jobs in the district, which will allow those living in the district to also work in the district, thereby reducing their reliance on automobile transportation. The findings on State Goal 12, Transportation also address this *Comprehensive Plan* goal.

**Policy 6.1, Intergovernmental Coordination**, calls for coordinating long-range transportation planning activities, facilities and improvements with development activities and with regional transportation and land use plans in order to achieve maximum benefit with the limited available funds. This policy also calls for coordinating with agencies and governments in the development of the Transportation System Plan. The amendments for the North Macadam District support this policy with actions that implement transportation provisions of the Transportation System Plan, *Central City Plan* and *Central City Transportation Management Plan*. These plans were developed to address both land use and transportation issues concurrently. The transportation actions implemented through the amendments for the North Macadam District were developed with the full participation, and in partnership, with the Portland Office of Transportation, Tri-Met, and Metro.

**Policy 6.2, Regional and City Travel Patterns**, calls for traffic to use streets in a manner consistent with the Arterial Streets Classifications of those streets. The amendments for the North Macadam District support this policy because the kind of traffic accessing the district via Macadam Avenue and Moody/Bond is consistent with their designations as a Major City Traffic Street and Traffic Access Streets, respectively. In addition, the *North Macadam Plan* contains objectives and actions that support an urban grid street network, which encourages bicycle, transit, and pedestrian use. The development of this street network will help to disperse local traffic onto Local Service Traffic Streets. Implementation of the *North Macadam Plan* will also provide for improvements to regional transit and trafficway systems.

**Policy 6.4, Coordinate Land Use and Transportation Planning**, calls for coordinating land use planning with transportation planning and requires that the Transportation Element be a guide in land use planning and in the transportation project development process. The amendments support this policy because the North Macadam planning process has included significant input from the Portland Office of Transportation and other transportation agencies. PDOT staff has assisted Bureau of Planning staff in the development of the *North Macadam Plan* to ensure consistency with applicable Transportation Element and *Comprehensive Plan* provisions.

**Policy 6.5, Neighborhood Collector and Local Service Street Traffic Management**, calls for managing traffic on Neighborhood Collectors and Local Service streets

according to the hierarchy established in the Transportation Element, and the land uses they serve. The amendments support this policy because the *North Macadam Plan* calls for the development of an urban street grid network that should encourage non-local traffic to use streets with higher traffic classifications.

**Policy 6.6, Urban Form**, calls for supporting a regional form composed of mixed-use centers served by a multimodal transportation system. The policy also states that new development should be served by interconnected public streets which provide safe and convenient pedestrian, bicycle and vehicle access. The amendments for the North Macadam District support this policy with projects that will foster the redevelopment of the district as a major part of the Central City. The Central City is the most intense of the mixed-use centers of the region. The amendments also support this policy with actions to enhance alternative transportation modes, creating within the district a multimodal environment. Improvements are planned for pedestrians, bicyclists, and transit patrons, including the provision of high quality pedestrian environments that establish strong linkages between district uses, transit facilities, surrounding neighborhoods, downtown and the greenway.

**Policy 6.7, Public Transit**, calls for the development of transit as the preferred form of person trips to and from the Central City, regional and town centers, and light rail stations at all times. The policy also calls for enhancing access to transit and reducing transit travel times on the primary transit network, including the Central City. The amendments for the North Macadam District support this policy with projects that enhance transit service to and through the area and the Central City. This includes objectives and actions to support the development of the Portland Streetcar to connect North Macadam to downtown and encouraging increased transit service in North Macadam while maintaining existing service levels in adjacent districts and neighborhoods. Increased residential and employment opportunities in the district will help support additional transit usage.

**Policy 6.8, Regional Rail Corridors**, calls for assigning priority to the funding and development of the regional mass transit system to reduce both the need for new regional traffic facilities and reliance on the automobile. The amendments for the North Macadam District support this policy with a policy and action item to extend the Portland streetcar to the district, thereby providing a link between the district and light rail stations in the downtown. The amendments also support the possible extension of the streetcar to Lake Oswego.

**Policy 6.9, Transit-Oriented Development**, calls for increasing residential densities on residentially zoned lands and encouraging transit-oriented development along Major City Transit Streets and Regional Transitways. This policy also calls for the transit-oriented development at activity centers, at existing and planned light rail transit stations, and at transit centers, in conformance with the *Comprehensive Plan* and the *Zoning Code*. The amendments for the North Macadam District support this policy with programs aimed at creating transit supportive densities of housing, employment and commercial development on every development site within the renewal area and near increased transit routes, including the extension of the Portland Streetcar. The amendments include a provision for a required residential area south of the Ross Island Bridge and the

CX zone that covers the district allows housing. In the required residential development area of North Macadam, new development must include at least one dwelling unit per 1,000 square feet of new site area (43 units per acre).

**Objective A**, calls for making the existence or ease of providing transit to office buildings and other major employment centers a major consideration in approving locations for these activities. The amendments support this objective because the objective of providing up to 10,000 jobs in North Macadam is coupled with improving the transit and transportation system, including a Portland Streetcar alignment along the Moody/Bond couplet. The amendments also include an objective of encouraging increased transit service in the district while maintaining existing service levels in adjacent districts and neighborhoods.

**Objective B**, calls for locating all new medium and high-density development in transit-oriented developments and requiring all major developments along transit lines to orient to the transit line and provide either a transit stop on site or connection to a transit stop. The amendments are consistent with this objective because they include objectives that support development types and uses that encourage trips other than by single occupancy vehicles and they also promote pedestrian-oriented development that reinforces connections to transit facilities and the greenway and parks.

**Objective C**, calls for providing infrastructure needed to support public and private transit-oriented development and designing transit routes and transit facilities to support transit use. The amendments support this objective because they include development objectives that call for establishing public investment priorities for transportation, parks and greenway, infrastructure, housing and jobs.

**Policy 6.10, Barrier-Free Design**, calls for transportation facilities that are accessible to all people, and requires that all improvements to the transportation system in the public right-of-way comply with the *Americans with Disabilities Act of 1990*. The amendments for the North Macadam District support this policy by including projects that will lead to new transit facilities and transportation infrastructure. All new facilities are expected to be developed barrier free and will comply with the *Americans with Disabilities Act of 1990*.

**Policy 6.11, Pedestrian Transportation**, calls for planning and completing a pedestrian network that increases the opportunities for walking to shopping and services, institutional and recreational destinations, employment, and transit. The amendments for the North Macadam District support this policy because they include objectives and actions to complete the local street network, which will allow pedestrian access to transit, employment, shopping, and the Willamette River. The amendments will aid the completion of the Willamette Greenway Trail, which will provide a pedestrian and bicycle connection to downtown, the John's Landing area, and Willamette Park. In addition, the amendments include objectives to promote pedestrian-oriented development that reinforces connections to transit facilities and the greenway and parks and provide a high-quality pedestrian environments that establish strong linkages between district uses, surrounding neighborhoods, downtown and the greenway.

**Objective C**, calls for improving the quality of the pedestrian environment by implementing pedestrian design guidelines to ensure that new public and private development meets a pedestrian quality standard and by developing special design districts for Pedestrian Districts and Main Streets. The amendments are consistent with this objective because they include a land use objective that calls for promoting pedestrian-oriented development that reinforces connections to transit facilities and the greenway and parks. The amendments also include design guidelines that call for facilitating transit connections between pedestrians and transit services and facilities.

**Objective F**, calls for exploring a range of funding options for pedestrian improvements to supplement reliance on general transportation revenues. The amendments support this objective because they include a district development objective that calls for identifying and seeking a variety of local, state, federal and nonprofit funding sources to support district improvements, including those for pedestrians.

**Policy 6.12, Bicycle Transportation**, calls for making the bicycle an integral part of daily life in Portland, by implementing a bikeway network, providing end-of-trip facilities, improving bicycle/transit integration, encouraging bicycle use, and making bicycling safer. The amendments for the North Macadam District support this policy because they include policies to complete the local street grid network and the Willamette Greenway Trail and to achieve at least a 30 percent mode split and at least a 40 percent work mode split for public transit, pedestrian and bicycle trips. Implementation of the *North Macadam Plan* will support alternative modes of transportation, including bicycling and walking.

**Objective A**, calls for completion of a network of bikeways that serve bicyclists' needs, especially for travel to employment centers, commercial districts, transit stations, institutions and recreational destinations. The amendments support this objective because they will foster the development of an urban street grid in a transportation deficient district as well as actions to construct new and improve existing bicycle and pedestrian connections to and through the district.

**Objective C**, calls for maintaining and improving the quality, operation, and integrity of bikeway network facilities. The amendments support this objective because they contain actions to construct new, and improve existing, bicycle and pedestrian connections to and through the district and to study the possibility of providing improved bicycle access from the Ross Island Bridge.

**Objective D**, calls for providing short- and/or long-term bicycle parking in commercial districts, along Main Streets, in employment centers and multifamily developments, at schools and colleges and in recreational areas. The amendments are consistent with this objective because they include code language that requires long-term bicycle parking for larger commercial developments in North Macadam.

**Objective E**, calls for providing showers and changing facilities for commuting cyclists and supporting the development of such facilities in commercial buildings.

The amendments support this objective because they contain a requirement that locker rooms are included in all nonresidential projects that are 100,000 square feet or larger.

**Policy 6.13, Transportation Demand Management**, calls for requiring the use of transportation demand management techniques such as carpooling, ridesharing, flexible work hours, telecommuting, parking management, and employer-subsidized transit passes to mitigate the impact of development-generated traffic. The amendments for the North Macadam District support this policy by calling for a North Macadam District Transportation Management Association and by preparing and enacting a district Transportation Demand Management Plan.

**Policy 6.14, Parking Management**, calls for managing the parking supply to take into account both transportation capacity and parking demand, and implementing measures to achieve Portland's share of a regional per capita parking space reduction. The amendments for the North Macadam District support this policy with actions that include parking and transit improvements to implement the *Central City Transportation Management Plan*. These include limiting parking maximum parking ratios and capping supplemental parking, reviewing and revising parking regulations based on changes to infrastructure and transit capacity, on-street parking requirements that recognize the limited accessibility of the North Macadam District, and emphasizing structured parking instead of surface parking. The amendments also include a code provision to allow shared residential parking if approved through CCPR as well as an action item to examine opportunities for parking structures that are shared by several developments.

**Policy 6.15, On-Street Parking Management**, calls for managing the supply, operations and demand for parking and loading in the public right-of-way to encourage economic vitality, traffic safety, and livability of residential neighborhoods. The amendments for the North Macadam District support this policy with actions fostering the creation of additional local streets with opportunities for the creation and management of the on-street parking supply. Amendments to *Title 33: Portland Zoning Code*, contain parking prohibitions in active building use areas, which promote active ground-level building uses for pedestrians. In addition, the amendments include an action item to study the possibility of expanding the permit parking program in part or all of the Corbett-Terwilliger-Lair Hill neighborhood.

**Policy 6.16, Off-Street Parking**, calls for the provision of adequate, but not excessive, off-street parking for all land uses. The amendments for the North Macadam District support this policy with a transportation policy to establish strategies that support the phased development of parking to provide up to 12,000 total off-street space by the year 2019, for all parking types. The amendments also include actions to develop and implement a district wide parking strategy and to examine opportunities for parking structures shared by several developments. See findings for *Comprehensive Plan Policy 6.14*.

**Policy 6.17, Institutional Parking**, calls for encouraging institutions to regulate parking facilities to first provide short-term parking for users, and secondly, to use demand management to minimize the amount of employee parking required. The amendments

for the North Macadam District are consistent with this policy by continuing to require analysis of parking through Central City Parking Review for institutional uses other than colleges or medical centers that propose in excess of 60 spaces. In addition, the amendments set maximum parking ratios for office, college and medical center uses. These maximum ratios are comparable to other Central City subdistricts with good transit service.

**Policy 6.18, Clean Air and Energy Efficiency**, calls for encouraging the use of all modes of travel that contribute to clean air and energy efficiency. The amendments for the North Macadam District support this policy because the transportation policy supports the development of a multimodal transportation system to serve residents, employees and visitors. The amendments also include actions to increase the level of alternative transit modes available within the district. The amendments also support other modes such as walking and bicycling. See the findings for *Comprehensive Plan* Policy 6.11, Pedestrian Transportation and Policy 6.12, Bicycle Transportation.

**Policy 6.19, Multimodal**, calls for the coordination of the planning, development, and interconnection of all modes of passenger transportation. The transportation policy of the *North Macadam Plan* is consistent with this policy because it supports the development of a multimodal transportation system in the district to serve residents, employees and visitors. The amendments also support this policy with the following actions:

- a) Extend the Portland Streetcar into and possibly through North Macadam to Lake Oswego.
- b) Establish a pedestrian friendly urban street grid.
- c) Improve access to and within the district.
- d) Construct new and improve existing bicycle and pedestrian connections to and through the district, including crossings over Interstate 5 and connections to the Willamette Greenway Trail.
- e) Develop an implementation plan for a transit hub that could accommodate a potential tram between Marquam Hill and the North Macadam District.

**Policy 6.21, Freight Intermodal Facilities and Freight Activity Areas**, calls for the development and maintenance of a multimodal transportation system for the safe and efficient movement of goods within the city. The amendments for the North Macadam District support this policy because it will complete the grid system of local streets that serve the district and improve access to the district at its northern, central, and southern portals.

**Policy 6.22, Right-of-Way Opportunities**, calls for the preservation of existing and abandoned rail rights-of-way and examination of their potential for future rail freight, passenger service, or recreational trail uses. The amendments for the North Macadam District support this policy with projects that include the extension of the Portland Streetcar through the district. Further, the *North Macadam Plan* points out the possibility of preserving the Willamette Shore Line rail corridor for future streetcar, trolley, and/or light rail alignments.

**Policy 6.25, Access Management**, calls for the City to work with the Oregon Department of Transportation (ODOT) to develop access management agreements for state highways within the city. The amendments for the North Macadam District are consistent with this policy by calling for improvements to Macadam Avenue by extending the *North Macadam Street Standards*. The amendments also call for the street improvement work, including access enhancement, to be coordinated with the ODOT.

**Policy 6.26, Central City Transportation Management Plan (CCTMP)** calls for including portions of the *Central City Transportation Management Plan* as part of the *Comprehensive Plan*. The amendments for the North Macadam District support this policy with actions that implement provisions of the *CCTMP* in the district. Implementing projects include transit enhancements, support of the completion of the *North Macadam District Street Standards* and the update of the *North Macadam District Street Plan*, and the creation of additional off-street parking for bicyclists and cars. Amendments to *Title 33, Zoning Code*, include changes to parking requirements within the district that are more reflective of the anticipated high-density, mixed use character of the area than of the previous industrial character.

**Policy 6.27, Adequacy of Transportation Facilities**, calls for ensuring that amendments to the *Comprehensive Plan* or to land use regulations that change allowed land uses and significantly affect a transportation facility, are consistent with the identified function, capacity and level of service of the facility. The amendments for the North Macadam District are consistent with this policy because transportation improvements are planned to address impacts of increased development in the district that may be allowed by changes to land use regulations. In addition, the plan seeks to limit transportation impacts by setting minimum requirements for residential development, limiting the size of retail uses and restricting the amount of parking allowed in the district.

**Policy 6.28, Public Involvement**, calls for carrying out a public involvement process that is consistent with Metro guidelines and provides information about transportation issues and processes to citizens, especially to those traditionally underserved by transportation services. The amendments for the North Macadam District have met and exceeded the requirement of this policy as described by the findings under State Goal 1, Citizen Involvement and *Comprehensive Plan* Goal 9, Citizen Involvement.

**Policy 6.29, Transportation Education**, calls for publicizing activities and the availability of resources and facilities to encourage the use of alternate modes of travel to the automobile. The amendments for the North Macadam District are consistent with this policy by providing an action to prepare and enact a district Transportation Demand Management Plan. This action will likely include a large educational component as part of its program.

**Policy 6.30, Street Vacations**, calls for allowing street vacations only when there is no existing or future need for the right-of-way, the established city street pattern will not be significantly interrupted, and the functional purpose of nearby streets will be maintained. The amendments for the North Macadam District are consistent with this policy because

it contains actions that aid the completion of a street grid in the district while limiting the need for vacations where existing streets exist.

46. **Goal 7, Energy**, calls for the promotion of a sustainable energy future by increasing energy efficiency in all sectors of the city by ten percent by the year 2000. The amendments are consistent with this goal because the *North Macadam Plan* supports the development of significant amounts of jobs and housing in a high-density, mixed-use district that lies within the most substantial employment center in the region. The clustering of housing opportunities near employment opportunities helps to reduce vehicle miles traveled. The amendments for the North Macadam District also support the enhancement of public transit, enhancement of walking and bicycle connections, and the development of high-density buildings that minimize heat loss through the use of common walls/floor-ceilings. In addition, the amendments contain an incentive for developers to add eco-roofs as part of their development projects.

**Policy 7.3, Energy Efficiency in Residential Buildings**, calls for encouraging energy efficiency in existing residences, focusing on the most energy-wasteful units, by helping to develop and promote public/private partnerships, utility, local, state, and federal programs. The amendments for the North Macadam District support this policy with policies, objectives and actions that support the creation of high-density, high- and mid-rise development. Such residential projects minimize costs for space heating and related energy consumption, through the use of shared or common walls/ceilings and floors. In addition, the amendments contain an incentive for developers to add eco-roofs as part of their development projects.

**Policy 7.4, Energy Efficiency Through Land Use Regulations**, calls for promoting residential, commercial, industrial, and transportation energy efficiency and the use of renewable resources. The amendments for the North Macadam District support this policy because they include policies and actions to create a new mixed use urban district with at least 3,000 new housing units, up to 10,000 new jobs, an urban street grid system, and achievement of at least a 30 percent mode split for public transit, pedestrian, and bicycle trips and a work mode split of at least 40 percent.

**Objective A**, calls for promoting land use patterns that increase energy efficiency in buildings and transportation systems by making energy efficiency a critical element when developing new regulations and modifying old regulations, including long-range planning efforts. The amendments support this objective because they call for the provision of 10,000 jobs and at least 3,000 housing units in North Macadam by 2019 as well as encouraging a complementary mix of housing, employment, retail, open space, recreational and institutional facilities. In addition, the amendments support the development of a multimodal transportation system to augment the increased residential and employment densities.

**Objective B**, calls for promoting density, location, and mix of land uses that decrease the length of required daily trips and encourage the consolidation of related trips. The amendments support this objective. See findings for *Comprehensive Plan* Policy 2.15, Living Closer to Work; Policy 5.4, Transportation System; and Policy 6.6, Urban Form.



**Objective D**, calls for reducing energy consumed for space heating residential buildings by promoting the construction and renovation of attached single and multifamily dwelling units. The amendments are consistent with this objective because the code language includes development standards that will foster high density, mixed use and residential development such as apartments and condominiums.

**Policy 7.6, Energy Efficient Transportation**, calls for providing opportunities for non-auto transportation and for reducing gasoline and diesel use by increasing fuel efficiency. The amendments for the North Macadam District support this policy with policies, objectives and actions that call for an urban street grid system and the achievement of at least a 30 percent mode split for public transit, pedestrian, and bicycle trips and at least a 40 percent work trip mode split. In addition, the amendments include improved mass transit service to the district and encouraging the use of hybrid buses as an alternative mode of transportation.

**Objective C**, calls for supporting efforts to ensure the energy efficiency of the transit system, including good street maintenance and transportation system management. The amendments are consistent with this objective because they include an action item to establish a North Macadam District Transportation Management Association.

**Objective H**, calls for promoting walking and bicycle commuting by developing bikeways and walkways, providing bicycle lockers, and implementing bicycle commuter services such as long-term bicycle parking, showers and changing facilities. The amendments support this objective. See findings for *Comprehensive Plan* Policy 6.12, Bicycle Transportation, Objectives D and E and *Comprehensive Plan* Policy 6.19, Multimodal.

**Objective J**, calls for matching carpool riders and providing transit information to city employees and promoting public/private partnerships to increase employee ride-share, transit use, and flextime. The amendments are consistent with this objective because they include actions such as preparing and enacting a district Transportation Demand Management Plan that will likely include those methods mentioned in Objective J.

**Policy 7.7, Telecommunications as an Energy Efficiency Strategy**, calls for researching and supporting telecommunication opportunities that will reduce the need for travel. The amendments for the North Macadam District support this policy by including an action to develop the telecommunications infrastructure needed to ensure North Macadam is a competitive location for high technology jobs.

47. **Goal 8, Environment**, calls for maintaining and improving the quality of Portland's air, water and land resources, and protecting neighborhoods and business centers from noise pollution. The amendments for the North Macadam District are consistent with this goal because they:

- a) Propose policies to improve the quality of stormwater that enters the Willamette River.

- b) Promote high density, mixed-use urban development that ensures the efficient use of land. The greater intensity of development permitted in this urban area helps to maintain the urban growth boundary instead of expanding it to accommodate additional residential and commercial/office development.
- c) Reduce auto-generated air pollution through the creation of housing and employment opportunities within the district.
- d) Enhance transit service and transit facilities while also improving the pedestrian network to encourage walking.

**Policy 8.2, Central City Transportation Management Plan**, calls for the *Central City Transportation Management Plan* to guide future city efforts to maintain air quality standards in the central business district while allowing for expanded employment and housing opportunities throughout the Central City. The amendments for the North Macadam District support this policy by specifically providing regulations that implement the *Central City Transportation Management Plan*. These regulations manage the supply of off-street parking to improve mobility, promote the use of alternative modes of transportation, maintain air quality, and enhance the urban form of the North Macadam District.

**Policy 8.3, Air Quality Maintenance Strategies**, calls for the implementation of the action elements of the *Central City Transportation Management Plan* (CCTMP) and ozone maintenance plan to provide for long-term maintenance of air quality standards. The amendments for the North Macadam District support this policy with projects that implement CCTMP actions. These actions include improving connectivity, creating opportunities to both live and work in the district, and the creation of additional parking facilities for autos and bicycles.

**Policy 8.4, Ride Sharing, Bicycling, Walking, and Transit**, calls for promoting the use of alternative modes of transportation such as ridesharing, bicycling, walking and transit. The amendments support this policy for reasons expressed in the findings for *Comprehensive Plan* Policy 6.9, Transit-Oriented Development, *Comprehensive Plan* Policy 6.11, Pedestrian Transportation, and *Comprehensive Plan* Policy 6.12, Bicycle Transportation.

**Policy 8.5, Interagency Cooperation – Water Quality**, calls for continuing cooperation with federal, state, and regional agencies involved with the management and quality of Portland's water resources. The amendments for the North Macadam District are consistent with this policy because they support compliance with the federal *Endangered Species Act* and Metro's Title 3 policies. See findings for the *Metro Urban Growth Management Functional Plan*, Title 3, Water Quality and Flood Management Conservation.

**Policy 8.7, Land Use and Capital Improvements Coordination**, calls for maintaining the coordination of land use planning and capital improvement to ensure the most efficient use of the city's sanitary and stormwater run-off facilities. The amendments for the North Macadam District support in the following ways:

- a) Includes actions to develop water, sanitary and stormwater sewer systems to support increased development and higher densities complying with local, state and federal regulations for fish protection and water quality.
- b) Amends *Title 33: Portland Zoning Code* and other development standards to comply with local, state, and federal regulations for fish protection and water quality, and to prevent untreated runoff and subsurface discharges from areas of potentially contaminated soil.

**Policy 8.8, Groundwater Protection**, calls for conserving domestic groundwater and surface water resources from potential pollution through a variety of regulatory measures relating to land use, transportation, and hazardous substances. The amendments for the North Macadam District support this policy with projects that will spur the redevelopment of lands in North Macadam. The amendments also include an environmental design objective to creatively address environmental challenges within the district including, but not limited to, soil contamination.

**Policy 8.10, Drainageways**, calls for the regulation of development within identified drainageways for multiple objectives. The amendments for the North Macadam District support this policy with programs that include policies, objectives and actions to improve water quality and mitigate stormwater runoff. The amendments include a new bonus incentive that is available through the installation of an eco-roof.

**Objective A, Stormwater Runoff**, calls for conserving and enhancing drainageways for the purpose of containing and regulating stormwater runoff. The amendments support this objective because they include an objective that calls for promoting low impact development strategies that minimize impervious areas, use multi-objective stormwater management systems, create water-quality friendly streets and parking lots and enhance natural area revegetation. In addition, the amendments include an action item to develop water, sanitary and stormwater sewer systems to support higher densities in the district and comply with applicable local, state and federal regulations for fish protection and water quality.

**Objective B, Water Quality and Quantity**, calls for protecting, enhancing and extending vegetation along drainageways to maintain and improve the quality and quantity of water. The amendments support this objective because they include a transportation objective of developing "green" accessways extending west from the greenway into the district as a means of providing multi-objective stormwater management opportunities. The amendments also include bonus provisions for the inclusion of eco-roofs in development. See findings for *Comprehensive Plan Policy 8.10, Objective A*.

**Policy 8.11, Special Areas**, calls for recognizing the unique land qualities of the following special areas: Balch Creek watershed, East Buttes terraces and wetlands, Fanno Creek watershed, Johnson Creek basin, Northwest Hills, Skyline West, Southwest Hills and the Willamette River Greenway. The policy calls for the adoption of specific planning objectives for these special areas. The amendments support this policy because the *North Macadam Plan* includes policies, objectives and action items that recognize

the special features and needs of the district including its location along the Willamette River.

**Objective H, Willamette River Greenway**, calls for protecting and preserving the natural and economic qualities of lands along the Willamette River through implementation of the City's *Willamette River Greenway Plan*. The amendments for the North Macadam District support the preservation of the natural and economic qualities of lands along the Willamette River through implementation of the City's *Willamette Greenway Plan*. The amendments amend both the greenway standards for potential development within the greenway setback as well as amending greenway design guidelines applicable to the North Macadam District. These revisions contain actions to provide additional open spaces through the use of incentives. In addition, the amendments include policies and objectives that promote and support strategic public investments in the district to help leverage private investment and development. See findings for State Goal 15, Willamette River Greenway.

**Policy 8.13, Natural Hazards**, calls for controlling the density of development in areas of natural hazards consistent with the provisions of the City's building code, chapter 70, the floodplain ordinance and the subdivision code. The amendments for the North Macadam District support this policy with policies and actions intended to expand the greenway setback areas within which development is limited, to encourage regrading of that area to increase flood storage and to build communities of native vegetation throughout the greenway setback area to prevent erosion of the riverbank.

**Policy 8.14, Natural Resources**, calls for the conservation of significant natural and scenic resource sites and values through a combination of programs which involve zoning and other land use controls, purchase, preservation, intergovernmental coordination, conservation, and mitigation. The policy also calls for balancing the conservation of significant natural resources with the need for other urban uses and activities through the evaluation of economic, social, environmental, and energy consequences of such actions. The scenic and natural resources in the area were identified, evaluated and protected, as appropriate, when the city adopted the *Central City Plan* and the *Scenic Resources Protection Plan*. These resources are further protected in the amendments for the North Macadam District through viewpoints and view corridors and a land use objective to provide physical and visual connections to the Willamette River from both the district and adjoining neighborhoods. In addition, the amendments include a land use objective to integrate natural resource values into the district's infrastructure and urban form.

**Objective E, Soil Erosion Control**, calls for protecting natural resources where appropriate from sediment and other forms of pollution through the use of vegetation, erosion control measures during construction, settling ponds and other structural and non-structural means. The amendments are consistent with this objective because they include an objective to ensure riverbank stability to prevent erosion through a mix of structural and non-structural (bioengineered) approaches.

**Objective G, Improving Turnouts Along Scenic Routes and at Viewpoints**, calls for improving and maintaining turnouts along scenic corridors and at identified viewpoints throughout Portland. The amendments are consistent with this objective because they include code language which require viewpoints with resting places where people can safely stop (major viewpoints) along the greenway trail.

**Objective H, Bike and Pedestrian Routes**, calls for enhancing the value and beauty of Portland's bicycle and pedestrian routes by locating them to take advantage of significant viewpoints, scenic sites and scenic corridors. The amendments support this objective because they include objectives and actions to construct and complete the Willamette River greenway and greenway trail connecting it with the rest of the 40-Mile Loop. The greenway's location and the recommended code language will provide ample opportunities where the bicyclists and pedestrians can view and enjoy the natural and scenic qualities of the greenway and the Willamette River.

**Policy 8.15, Wetlands/Riparian/Water Bodies Protection**, calls for the conservation of significant wetlands, riparian areas, and water bodies which have significant functions and values related to flood protection, sediment and erosion control, water quality, groundwater recharge and discharge, education, vegetation, and fish and wildlife habitat. The policy also calls for the regulation of development within significant water bodies, riparian areas, and wetlands to retain their important functions and values. The amendments support this policy because they include policies, objectives and actions that will combine increased urban development with providing additional ecological functions throughout the district, including in the riparian area. This includes integrating natural resource values into the district's infrastructure and urban form such as minimizing impervious areas, using multi-objective stormwater management systems, creating water-quality friendly streets and parking lots and enhancing natural area revegetation.

**Objective A, Wetland/Water Body Buffer**, calls for conserving significant riparian, wetland and water body natural resources through the designation and protection of transition areas between the resource and other urban development and activities. The objective also calls for restricting non-water dependent or non-water related development within the riparian area. The amendments support this objective because they include code language that increases the regulated greenway setback to 100 feet and that emphasizes the ecological functions of riparian areas nearest the river. These areas have the highest level of required landscaping and the least allowance for human activity and non-river dependent development to enhance conservation of riparian areas along the river.

**Objective B, Water Quality**, calls for maintaining and improving the water quality of significant wetlands and water bodies through design of stormwater drainage facilities. The amendments for the North Macadam District support this objective with projects to enhance the west bank of the Willamette River and improve the quality of the stormwater entering the Willamette River from the district. See findings for *Comprehensive Plan* Policy 8.10, Drainageways, Objective B. The amendments for the North Macadam District also require plantings of riparian vegetation throughout the greenway setback.

**Policy 8.17, Wildlife**, calls for conserving significant areas and creating new areas that increase the variety and quantity of fish and wildlife throughout the urban area in a manner compatible with other urban development and activities. The amendments support this policy because they contain objectives and actions to build communities of native vegetation that offer visual variety, and functional and enhanced habitat for native wildlife throughout the greenway setback. In addition, the amendments call for improving riverbank and in-water conditions to provide enhanced fish and wildlife habitat.

**Policy 8.20, Noise Abatement Strategies**, calls for reducing and preventing excessive noise levels from one use which may impact another use through ongoing noise monitoring and enforcement procedures. The amendments are consistent with this policy because they include an objective to creatively address environmental challenges including, but not limited to, soil contamination and freeway noise.

48. **Goal 9, Citizen Involvement**, calls for improved methods and ongoing opportunities for citizen involvement in the land use decision-making process. The amendments are consistent with this goal because the North Macadam planning process included extensive citizen involvement activities that were conducted as part of developing the amendments. This includes neighborhood and interest group meetings, open house events, and public hearings before the Planning Commission, Design Commission, and City Council as described in the findings for State Goals 1 and 2.

**Policy 9.1, Citizen Involvement Coordination**, calls for encouraging citizen involvement in land use planning projects through active coordination with relevant community organizations, the reasonable availability of planning reports, and notice of official public hearings. The amendments for the North Macadam District are consistent with this policy because of the citizen involvement activities that were conducted as part of the development of these amendments to the *Comprehensive Plan, Central City Plan; Title 33: Portland Zoning Code*; and the *North Macadam District Special Design Guidelines*. These activities are described in the findings that address Statewide Goals 1 and 2.

**Policy 9.4, Intergovernmental Cooperation**, calls for promoting citizen involvement in land use decisions initiated by other governmental agencies. The amendments for the North Macadam District are consistent with this policy. Bureau of Planning staff met with potential implementing agencies and developed action charts describing the implementation activities expected in the district. The planning process included coordination with planning and transportation agencies such as the Portland Development Commission (PDC), Bureau of Development Services (BDS) (formerly known as Office of Planning and Development Review), Bureau of Environmental Services (BES), Portland Office of Transportation (PDOT) and the Tri-County Metropolitan Transportation District of Oregon (Tri-Met) as described in the findings for State Goals 1 and 2.

49. **Goal 10, Plan Review and Administration**, calls for Portland's *Comprehensive Plan* to undergo periodic review to ensure that it remains an up-to-date and workable framework for land use development. The implementation of the amendments for the North Macadam District will be in accordance with State law and the adopted *Comprehensive Plan* goals,

policies, objectives and *Comprehensive Plan* map. The amendments for the North Macadam District are consistent with this goal, as they are the legislative update of the *Central City Plan*, which is an element of the *Comprehensive Plan*. These amendments better reflect the desired future development of North Macadam.

**Policy 10.1, Comprehensive Plan Review**, calls for implementing a process for the review of the *Comprehensive Plan* goals, policies, objectives, and implementation provisions on a periodic basis. The amendments for the North Macadam District are consistent with this policy because they are the updates of the North Macadam element of the *Central City Plan*.

**Policy 10.3, Long Range Planning Framework**, calls for adopting the land use goals and policies as the long range planning framework and guide to the development and redevelopment of the city. The amendments for the North Macadam District are consistent with this policy because long range goals, policies, objectives and actions have been developed for the plan area and are included in the *North Macadam Plan*.

**Policy 10.6, Amendments to the Comprehensive Plan Goals, Policies, and Implementing Measures**, requires that all proposed amendments to implementing ordinances be reviewed by the Planning Commission prior to action by the City Council. The amendments support this policy because the North Macadam planning effort followed the process and requirements for notice and hearing in City Code 33.740 – Legislative Procedure. The Planning Commission reviewed the amendments at public hearings on May 14, 2002 and May 28, 2002 and at work sessions on June 4, June 25, July 9, July 16, July 30, and August 27, 2002, all prior to City Council action.

**Policy 10.10, Amendments to the Zoning and Subdivision Regulations**, calls for amendments to the zoning and subdivision regulations should be clear, concise, and applicable to the broad range of development situations faced by a growing, urban city. The amendments for the North Macadam District are consistent with this policy by promoting good planning and striving to improve the code document in the following ways:

- a) The amendments integrate new development regulations for the North Macadam subdistrict within the existing Central City Plan district chapter of the *Zoning Code*.
- b) The amendments provide a running “commentary” that explains the ramifications of each proposed regulation as well as those that have been moved from other locations within *Zoning Code*.

**Policy 10.13, Design Review**, calls for the development of recommendations for Council consideration for additional areas where design review would be appropriate and prepare design review standards for both existing and proposed areas. The amendments for the North Macadam District require all new development in the district to undergo design review, which includes compatibility with the design vision for the district. The design guidelines for the district have been updated as part of this legislative project for the North Macadam District. The Portland Design Commission held a hearing and reviewed the proposed design guidelines before making a recommendation to City Council.

50. **Goal 11 A, Public Facilities, General**, calls for the provision of a timely, orderly and efficient arrangement of public facilities that support existing and planned land use patterns and densities. The amendments for the North Macadam District are consistent with this goal. Where necessary and appropriate, implementation actions and strategies for public facility provision over the next twenty years have been identified and prioritized.

**Policy 11.1 A, Service Responsibility**, calls for the City of Portland to provide, where feasible and as sufficient funds are available from public and private sources, infrastructure, public facilities and services appropriate for all land use types for all land within its boundaries of incorporation. The amendments support this policy by providing mechanisms and incentives, establishing public investment priorities, and phasing infrastructure improvements for the following facilities and services:

- a) Streets and other public right-of-ways,
- b) Sanitary and stormwater sewers,
- c) Parks and recreation,
- d) Water supply,
- e) Planning, zoning, buildings and subdivision control,
- f) Energy and communication services, and
- g) Transit services.

**Policy 11.1, D**, calls for providing a public participation process in the implementation of this policy, ensuring that property owners, residents, and existing community organizations in areas affected by proposed changes in service delivery have opportunity to review and comment on plans for such changes. The amendments are consistent with this policy. See findings for State Goal, 1 and *Comprehensive Plan* Policy 5.3, Objectives A and B.

**Policy 11.2, Orderly Land Development**, calls for urban development to occur only where urban public facilities and services exist or can reasonably be made available. The *North Macadam Plan* is consistent with this policy in that it provides the policies, strategies and implementation mechanisms for the development of urban public services into the last undeveloped land parcels within the Central City.

**Policy 11.4, Capital Efficiency**, calls for supporting maximum use of existing public facilities and services by encouraging new development to occur at the maximum densities allowed by the *Comprehensive Plan* and through the development of vacant land within presently developed areas in order to make maximum use of existing public facilities and services. The amendments for the North Macadam District support this policy by encouraging higher density infill development and redevelopment of underutilized sites in the plan area where some public facilities exist and additional public facilities will be improved through the provisions of the *North Macadam Plan*.

**Policy 11.5, Cost Equitability**, calls for the costs of improvement, extension and construction of public facilities should be borne by those whose land development and redevelopment actions made such improvements necessary. The amendments are consistent with this policy because they promote public investments that leverage private



investments in the district, with phased infrastructure improvements to use public funding most efficiently.

48. **Goal 11 B, Public Rights-of-Way**, calls for preserving the quality of Portland's land transportation system; protecting the City's capital investment in public rights-of-way; and improving city streets in a way that balances the identified needs and the limited resources available. The amendments are consistent with this goal by providing mechanisms to improve existing public rights-of-way into and through the North Macadam district and by providing for the construction of additional dedicated public rights-of-way. The findings for *Comprehensive Plan* Goal 6, Transportation also support this goal and its policies and objectives.

**Policy 11.8, Maintenance**, requires that when prioritizing the expenditure of general fund revenues on the public rights-of-way, that the first priority will be to maintain and prevent deterioration of the existing street system. This policy is not directly relevant to the amendments for the North Macadam District, since nearly all of the current transportation system in the district has been identified as needing improvement. However, funding for the improvement and construction of rights-of-way within the North Macadam District will come from promoting public investments that leverage private investment.

**Policy 11.9, Transit Corridors**, calls for giving high priority to improvements which promote more effective public transportation for those streets functioning as transit corridors. The amendments are consistent with this policy by providing an implementation strategy, which prioritizes the completion of the Moody/Bond corridor. The Moody/Bond couplet will function as a transit corridor into and through the district.

**Policy 11.11, Local Service Street Improvements**, calls for constructing local service streets in accordance with existing and planned neighborhood land use patterns and accepted engineering standards, including the provision of sidewalks on most streets. The amendments are consistent with this policy for the reasons stated in the findings for *Comprehensive Plan* Policy 6.5, Neighborhood Collector and Local Service Street Traffic Management.

**Policy 11.12, Transit Improvements**, calls for constructing or modifying transit streets to promote more efficient and effective public transportation and improve pedestrian access to transit. The amendments for the North Macadam District support this policy because they include policies, objectives and actions to improve transit streets within North Macadam, including implementation strategies for bringing the Portland Streetcar and buses into the district. The amendments also call for developing an implementation plan for a transit hub in the district.

**Policy 11.13, Bicycle Improvements**, calls for providing bikeway facilities appropriate to the street classifications, traffic volume, and speed in the design and construction of all new or reconstructed streets. The amendments for the North Macadam District support this policy because they include policies, objectives and actions to improve streets to be used by bicyclists within North Macadam, including improved bicycle access from the Ross Island Bridge, across the Interstate 5 freeway, and from Sheridan

Street, Bancroft Street, and the Willamette Greenway Trail. A bifurcated trail along the Willamette Greenway will improve the safety of both pedestrians and bicyclists.

**Policy 11.14, Public Bicycle Parking**, calls for providing for safe short-term and safe, sheltered long-term bicycle parking in the right-of-way and in publicly-owned garages throughout the Central City and in other areas of the city where needed. The amendments support this policy. See findings for *Comprehensive Plan* Policy 6.12, Bicycle Transportation, Objective D.

**Policy 11.16, Local Improvement Districts**, encourages the formation of local improvement districts (LIDs) in currently developed areas to make street improvements, including sidewalks, drainage, and street trees, where feasible. The amendments for the North Macadam District support the formation of local improvement districts or a comparable instrument to provide additional funding for the development of district infrastructure, including greenway improvements.

49. **Goal 11 C, Sanitary and Stormwater Facilities**, calls for ensuring an efficient, adequate and self-supporting wastewater collection treatment and disposal system which will meet the needs of the public and comply with federal, state and local clean water requirements. The amendments for the North Macadam District provide for the development of a multi-objective stormwater management system. The amendments were developed with the assistance of the Bureau of Environmental Services in part to ensure coordination with their ongoing efforts to develop efficient, adequate and self-supporting systems that meet the needs of the public. In addition, the amendments include an action to develop water, sanitary and stormwater sewer systems to support higher densities while complying with local, state and federal regulations for fish protection and water quality.

**Policy 11.18, Maintenance**, calls for maintaining and improving the existing sanitary and storm sewer system through preventive maintenance and ongoing appraisal. The amendments allow for construction, maintenance and upgrades to the sanitary and stormwater systems throughout the district, as development occurs. See findings for *Comprehensive Plan* Goal 11 C.

**Policy 11.20, Combined Sewer Overflows**, calls for the control and reduction of combined sewer overflows. The amendments for the North Macadam District identify the need to develop water, sanitary, and stormwater sewer systems to support higher densities, complying with local, state, and federal regulations for fish protection and water quality.

**Policy 11.22, Sewer Connections**, requires all new developments within the city limits to be connected to sanitary sewers except those that can be provided with acceptable sub-surface disposal, if a sewer is not available. The amendments for the North Macadam District are consistent with this policy because they contain an action to develop water, sanitary, and stormwater sewer systems to support higher densities complying with local, state, and federal regulations for fish protection and water quality, and to prevent untreated runoff and subsurface discharges from areas of potentially contaminated soil.

**Policy 11.23, New Construction**, calls for giving priority, in the development of new sewer systems, to those unsewered areas developed at urban densities where health hazards or demand exist. The amendments are consistent with this policy because the goal of a higher density district close to the Central City matches an increased demand for stormwater and sanitary sewer services in North Macadam.

**Policy 11.25, Stormwater Management**, calls for integrated master planning for stormwater management with other city activities to achieve adequate drainage and to minimize pollution and erosion problems. The amendments for the North Macadam District meet this policy by proposing to develop water, sanitary, and stormwater sewer systems supportive of the higher densities expected in the district. In addition, several City bureaus, including Bureau of Environmental Services, Portland Office of Transportation, Bureau of Parks and Recreation, Portland Development Commission and the Bureau of Planning have all participated in and reviewed the *North Macadam Plan* and its amendments for consistency and integration with the activities of these bureaus.

**Policy 11.26, Impervious Surfaces**, calls for limiting, where necessary, the increase of Portland's impervious surfaces without unduly limiting development in accordance with the *Comprehensive Plan*. The amendments are consistent with this policy because they include an objective to integrate development with the natural landscape by promoting low impact development strategies that include minimizing impervious areas. The amendments also include limitations on impervious surfaces in the greenway setback.

50. **Goal 11 E, Water Service**, calls for ensuring that reliable and adequate water supply and delivery systems are available to provide sufficient quantities of high quality water at adequate pressures to meet the existing and future needs of the community, on an equitable, efficient and self-sustaining basis. The amendments for the North Macadam District are consistent with this goal because they facilitate the development of water systems supportive of the higher densities expected in the district. See findings for *Comprehensive Plan* Goal 11 A.

**Policy 11.34, Fire Protection**, calls for installing and maintaining public fire hydrants with adequate flow to serve the fire protection needs of all city residents and businesses. The amendments are consistent with this policy as the Portland Fire Bureau has reviewed the *North Macadam Plan* and has not raised any concerns regarding the installation and maintenance of public fire hydrants in the district.

51. **Goal 11 F, Parks and Recreation**, calls for maximizing the quality, safety and usability of parklands and facilities through the efficient maintenance and operation of park improvements, preservation of parks and open space, and equitable allocation of active and passive recreation opportunities for the citizens of Portland. The amendments for the North Macadam District are consistent with this goal because they contain policies, objectives and actions to provide parks and open space to meet the needs of the anticipated residents, visitors and workers within the North Macadam District and to provide for their maintenance.

**Policy 11.44, Capital Programming**, calls for maintaining a long-range park capital improvement program that balances acquisition, development and operations; provides a

process and criteria for capital improvement project selection; and emphasizes creative and flexible financing strategies. The amendments are consistent with this policy because they include an objective and actions that call for developing an implementation program, based on a public/private partnership, for acquisition, construction, operations and management of the greenway and parks facilities. In addition, the amendments include an objective of providing incentives, such as the open space bonus fund, for the private sector to contribute to the quality and quantity of open space in the district.

**Policy 11.45, Improvements**, calls for basing the priorities for improvement and development of parklands on documented needs and the following criteria: low long-term maintenance costs, location in deficient areas, broad community support, location adjacent to schools and other public facilities, support of neighborhood stabilization and community development projects and policies, and consistency with park master development plans. The amendments support this policy. The amendments for the North Macadam District contain implementation measures to provide parks and open space to meet the needs of the anticipated residents and workers within the district. The amendments also include mechanisms to provide for the maintenance of parks and open space in the district to be funded from sources other than the general fund. The North Macadam District is currently considered a park-deficient area. Implementation of the amendments addresses this deficiency by providing for the construction of over 10 acres of additional parks and open space.

**Policy 11.46, New Parklands**, calls for increasing the supply of parkland, giving priority to areas where serious geographical and service level deficiencies exist and to the completion of the 40-Mile Loop system. The amendments for the North Macadam District are consistent with this policy because they identify areas where additional parks should be developed and give priority to the development of new park and public recreation facilities. The amendments also provide objectives and actions with implementing measures to complete the greenway trail and connect it with the 40-Mile Loop Trail.

52. **Goal 11 G, Fire**, calls for developing and maintaining facilities that adequately respond to the fire protection needs of Portland. The amendments for the North Macadam District are consistent with this goal because they include actions that will ensure adequate street and accessway widths for emergency vehicles. In addition, by completing an urban street grid network throughout the district, emergency access, including fire response, will be improved.

**Policy 11.56, Emergency Access**, requires streets to be of high structural quality, sufficient width, and maintenance levels ensuring access to emergency and service equipment. The amendments for the North Macadam District meet this goal by including objectives and actions that will ensure adequate street and accessway widths for emergency vehicles.

53. **Goal 11 H, Police**, calls for the development and maintenance of facilities that allow police personnel to respond to public safety needs as quickly and efficiently as possible. The amendments support this goal with the creation of a high-density, mixed-use area, with a large residential population, and significant concentrations of employment. The

amendments for the North Macadam District also support a pedestrian friendly environment by identifying areas requiring active building uses and ground floor windows, which support a more secure pedestrian experience. The amendments also provide for enhanced pedestrian streets and intersections throughout the district.

**Policy 11.61, Safety**, calls for providing traffic improvements, such as sidewalks and bikeways, to promote safe routes to schools, particularly for students required to travel long distances. The amendments for the North Macadam District meet this policy by containing policies and actions for an urban transportation grid system that will provide safe access for bicyclists and pedestrians to and from schools in the adjacent neighborhoods.

54. **Goal 12, Urban Design**, calls for enhancing Portland as a livable city, attractive in its setting and dynamic in its urban character by preserving its history and building a substantial legacy of quality private developments and public improvements for future generations. The amendments for the North Macadam District are consistent with this goal because they include provisions designed to improve the urban design quality of the area. These provisions include the establishment of an urban design plan for the district, adoption of land use and urban form policies, objectives and actions, subjecting new development to design review, and the adoption of design guidelines for district development including the greenway.

**Policy 12.1, Portland's Character**, calls for enhancing and extending Portland's attractive identity by building on design elements, features, and themes identified within the city. Further, this policy calls for recognizing and extending the use of city themes that establish a basis of a shared identity reinforcing the individual's sense of participation in a larger community. The amendments for the North Macadam District enhance and extend Portland's attractive identity. The creation of a subdistrict within the Central City, with its own unique character, is a primary implementation objective of the amendments for the North Macadam District. The North Macadam District is the largest undeveloped area within the Central City. The vision for North Macadam reflects and reinforces Portland's unique character and aspirations. The signature of the district is its enthusiastic embrace of the Willamette River. Thus, one objective of the *North Macadam Plan* is to promote building forms that respect the relationship of the district to the river and the adjacent neighborhoods.

**Objective A**, calls for giving form to the City and extending the intimate and human scale that typifies Portland by preserving public access to light and air by managing and shaping the mass, height and bulk of new development. The amendments are consistent with this objective because they include policies, objectives and actions that preserve the pedestrian-oriented human scale of development. This includes code language that requires special building height corridors and tower orientations, building lines and ground floor active uses, all of which enhance the urban quality of the Central City and still preserve public access to light and air. In addition, the code language includes a stepping back of building heights from the Willamette greenway in an effort to enhance the pedestrian experience by preserving public access to light and air along the greenway.

**Objective C**, calls for enhancing the sense Portlanders have that they are living close to nature. This includes improving access to the City's rivers, establishing a system of trails that connect Portland's urbanized areas with nearby riparian areas, and designing new development to enhance the natural environment. The amendments support this objective. The amendments include objectives to provide physical and visual connections to the Willamette River from both the North Macadam district and the adjoining neighborhoods. In addition, the amendments call for promoting design and investment, both public and private, that reflects a complementary relationship between the built environment and open space in the district. Further, the amendments include the integration of development with the natural landscape by promoting low impact development such as enhancing natural area revegetation.

**Objective E**, calls for integrating into private and public development projects appropriate thematic design elements that reinforce Portland's desired identity. The amendments are consistent with this objective because they support development that recognizes the industrial history of the district, including development of the greenway as well as fountains and water features.

**Objective F**, calls for encouraging innovative design solutions in private development projects that add diversity and depth to Portland's character. The amendments are consistent with this objective because they include updated development standards and special design guidelines that encourage and allow for innovative design elements.

**Objective G**, calls for extending, celebrating and enhancing urban linear features such as rivers and linear parks. Further, the objective calls for integrating these linear features into the City's transportation system. The amendments support this objective because they include developing and completing the Willamette River greenway and greenway trail through the district. A bifurcated trail will allow both bicyclists and pedestrians to commute to work.

**Objective H**, calls for preserving and enhancing public viewpoints, scenic sites and scenic corridors and, as new development occurs, create new views of Portland's rivers, bridges, surrounding mountains and hills and the Central City skyline. The amendments support this objective because they call for an urban form that provides physical and visual connections to the Willamette River from both the district and the adjoining neighborhoods. In addition, the amendments include the development of viewpoints along the greenway trail to provide new views of the river, bridges and city skyline.

**Policy 12.2, Enhancing Variety**, promotes the development of areas of special identity and urban character. The amendments for the North Macadam District enhance the development of a unique, vibrant, high-density urban riverfront neighborhood. Further, the amendments for the North Macadam District have a policy objective to integrate the urban character of the district with riparian and recreational opportunities.

**Objective B**, calls for enhancing the residential scale of Portland's neighborhoods while accommodating the growth allowed by the City's *Comprehensive Plan*. The

amendments are consistent with this objective because they encourage the development of a high-density residential component of the district that incorporates distinctive design elements that respect the relationship of the district to the Willamette River and the adjacent neighborhoods.

**Policy 12.3, Historic Preservation**, calls for enhancing the City's identity through the protection of Portland's significant historic resources. Further, the policy calls for preserving, incorporating and reusing historic artifacts as part of Portland's fabric. The amendments are consistent with this policy because they call for recognizing and integrating the historic elements of the district as it transitions from an industrial area to an urban mixed-use neighborhood.

**Objective A**, calls for preserving and accentuating historic resources as part of an urban environment that is being reshaped by new development projects. The amendments support this objective as described in the findings for *Comprehensive Plan* Policy 12.3.

**Objective F**, calls for preserving artifacts from structures and sites that are historically, architecturally and/or culturally significant and seek to reintroduce these artifacts into the City's streetscape and building interiors. The amendments are consistent with this objective because they include an objective to integrate elements that reflect the site's history into the development of the greenway and parks.

**Policy 12.4, Provide for Pedestrians**, calls for providing a pleasant, rich and diverse experience for pedestrians which include comfortable, safe and attractive pathways that connect Portland's neighborhoods, parks, water features, transit facilities, and attractions. The amendments for the North Macadam District support this policy by establishing an urban street grid, completion of the Willamette Greenway Trail through the district, pedestrian access to the river's edge, and pedestrian-enhanced streets and accessways. The amendments also provide regulations for active building uses, required building lines, minimum and maximum building setbacks, ground floor window regulations and parking access restricted streets. These regulations ensure a rich, safe and pleasant pedestrian environment.

**Objective A**, calls for ensuring that the safety and convenience of pedestrians are not compromised by transportation improvements aimed at motor vehicle traffic and should contribute to Portland's sense of community. The amendments are consistent with this objective because they promote pedestrian-oriented development that reinforces connections to transit facilities and the greenway and parks. See additional findings for *Comprehensive Plan* Policy 12.4.

**Objective B**, calls for enhancing the environment occupied by Portland's pedestrians including the enrichment of places with designs that express the pleasure and hold the pleasant surprises of urban living. The amendments support this objective by calling for the provision of high quality pedestrian environments that establish strong linkages between district uses, surrounding neighborhoods, downtown and the greenway.

**Objective D**, calls for reinforcing commercial areas that include a storefront character and/or are on transit streets by requiring development to be oriented to pedestrians. The amendments are consistent with this objective because they include regulatory provisions that call for ground floor active uses and required windows above the ground floor.

**Objective E**, calls for completing the 40-Mile Loop and Willamette Greenway trails and establishing links between these trails and Portland's residential neighborhoods, regional greenspaces and parks. The amendments support this policy because they include completing the Willamette River greenway and greenway trail in North Macadam by connecting it to the 40-Mile Loop. Further, the transportation policy, objectives and actions include the development of connections between North Macadam, the greenway and adjoining neighborhoods.

**Policy 12.5, Promote the Arts**, calls for humanizing the city through the promotion of the arts and excellence in design, including punctuating the community with works of art used to emphasize focal points, mark transitional locations, celebrate public buildings and to enhance the City's sidewalks, open spaces, plazas and parks. The objectives are consistent with this policy because they include design guidelines which call for integrating works of art and/or water features with site and development designs, when included in the development proposal. In addition, the amendments include an action item to promote the use and integration of public art throughout the parks, greenway and open spaces in North Macadam.

**Policy 12.6, Preserve Neighborhoods**, calls for preserving and supporting the qualities of individual neighborhoods that help to make them attractive places. The amendments for the North Macadam District support this policy by creating incentives and regulations that will lead to the creation of a complete neighborhood. The policy update for the *Central City Plan* calls for the development of a district as a vibrant high density, mixed use riverfront neighborhood with significant amounts of new housing and jobs, accommodating up to 10,000 jobs and at least 3,000 housing units. The plan includes an objective to promote building forms that respect the relationship of the district to the river and the adjacent neighborhoods.

**Objective A**, calls for encouraging new developments to respond to the positive qualities of the place where they are built and to enhance that place through their development. The amendments are consistent with this objective because they include a policy to create a distinctive riverfront neighborhood of exceptional urban character. This includes an objective of promoting building forms that respect the relationship of the district to the river and the adjacent neighborhoods.

**Policy 12.7, Design Quality**, calls for enhancing Portland's appearance and character through development of public and private projects that are models of innovation and leadership in the design of the built environment. This policy also calls for establishing design review in areas that are important to Portland's identity, setting, history and to the enhancement of its character. The amendments for the North Macadam District support this policy by encouraging the design of the built environment to meet standards of



excellence while fostering the creativity of architects and designers. The amendments for the North Macadam District also include revised design guidelines for the district.

**Objective A**, calls for establishing guidelines of design acceptability that ensure continuation of each design district's desired character. The objective states that design guidelines should make the public's objectives for the design review process clear to those developing property. The amendments are consistent with this objective because they update the special design guidelines for the North Macadam district, making it clearer for those developing property to build on this area's desired character.

**Objective B**, calls for continuing the design review process to ensure public review of public and private development proposals. The amendments support this objective because the plan continues the application of the design overlay zone to the North Macadam District. This overlay zone includes subjecting new development to design review.

**Objective C**, calls for providing clear design guidelines that use examples to illustrate a variety of ways to achieve compliance with each design guideline. The amendments support this objective because they include updated design guidelines with additional illustrations that show a variety of ways to comply with these guidelines.

**Objective H**, calls for establishing specific zoning requirements that further the implementation of the Urban Design Goal and the Goal's associated policies and objectives. The amendments are consistent with this objective because they include code language that establishes updated development standards related to special building height corridors, tower orientations, required building lines, accessway setbacks, ground floor active uses and required windows above the ground floor.

**Policy 12.8, Community Planning**, calls for considering urban design issues as part of area plans to help establish, preserve and enhance the identity and character of each study area. The amendments for the North Macadam District comply with this policy by subjecting all development in the district to design review. Design criteria are provided in both the *Central City Fundamental Design Guidelines*, as well as special design guidelines applicable to North Macadam.

**Objective A**, calls for considering urban design issues such as the protection and enhancement of scenic resources, the location of trails, pedestrian paths and bicycle routes, and the need for new open spaces as a part of the development of community and area plans. The amendments support this policy for the reasons described in the findings for *Comprehensive Plan* Policy 12.1, Objective H and *Comprehensive Plan* Policy 8.14, Objective H.

**Objective C**, calls for exploring the potential for linkages between the urban design elements and other planning strategies such as consideration of open space, scenic, cultural and historic resources and environmental areas. The amendments support this policy because they call for integrating natural resource values into the district's

urban form. In addition, the amendments support promoting design and investment that reflects the complementary relationship between the built environment and open space.

## *Willamette Greenway Plan Findings*

The Portland City Council adopted the *Willamette Greenway Plan (WGP)* in 1987 as part of Portland's *Comprehensive Plan*. The goal of the *WGP* is to protect, conserve, maintain and enhance the scenic, natural, historic, economic and recreational qualities of the lands along the Willamette River. The plan contains direction and policy and identifies implementation measures developed by the City to comply with Statewide Goal 15, Willamette River Greenway. The *Willamette Greenway Plan* is implemented by the greenway zone regulations in the *Portland Zoning Code* and the *Willamette Greenway Design Guidelines*. The amendments for the North Macadam District support the goals of the *Willamette Greenway Plan* in that they will aid the completion of the Willamette River Greenway in the North Macadam District.

55. **Objective 1**, calls for restoring the Willamette River and its banks as a focus for the city, its neighborhoods, and residents through coordinated public investment and private development. The amendments for the North Macadam District support this goal by amending the policies, *Zoning Code* and design guidelines by recommending an update to the *Central City Plan* policy for North Macadam calling for the creation of a vibrant urban neighborhood connected with, and enriched by, a clean and healthy river. The amendments also provide strategies to improve riverbank and in-water conditions and ensuring riverbank stability to prevent erosion.
56. **Objective 2**, calls for increased public access to and along the river, including a continuous recreational trail and viewpoints. The amendments for the North Macadam District support this objective by providing implementation strategies for increased access to the river by the public and by property owners, and future employers, employees, clients and residents of the district. These strategies include the creation of a greenway design coordination plan that will be charged with developing a district wide greenway, which includes a bifurcated trail system for wheels and pedestrians. The greenway design coordination plan also will identify specific locations for trails and viewpoints providing access to the river. The amendments also include connections to other transportation systems including the 40-Mile Loop and studying the feasibility of a river taxi system that serves the entire Central City.
57. **Objective 3**, calls for conserving and enhancing the remaining natural riverbanks and riparian habitat along the river. The amendments for the North Macadam District support this objective by amending the policies, *Zoning Code* and design guidelines calling for plantings, landscaping, and other elements specifically designed to conserve and enhance the riverbanks and riparian habitat. The amendments also call for the creation of an exemplary open space network that embraces the river and provides for a range of ecological functions, including building communities of native vegetation that offer visual variety and functional and enhanced habitat for wildlife.
58. **Objective 4**, calls for providing an attractive quality environment along the Willamette River. The amendments for the North Macadam District support this objective by facilitating the creation of an exemplary open space network that embraces the river as the district's "front yard" and provides a range of urban amenities, aesthetic experiences and ecological functions. This includes code language that fosters good urban design by limiting the tower orientation of buildings to preserve views, requires active ground floor uses and

updates the greenway design guidelines. The amendments also call for an "activity area" that will facilitate the relationship between buildings and the greenway. Further, the amendments encourage urban development that is complementary to the river environment.

59. **Objective 6**, calls for reserving land within the greenway setback for river-dependent and related recreational use. The amendments for the North Macadam District support this objective by facilitating the completion of the Willamette Greenway Trail through the district. The Willamette Greenway Trail is part of Portland's recreational 40-Mile Loop Trail system. The amendments provide an implementation strategy for development of a system of trails through the greenway, including a bifurcated trail for wheels and pedestrians, and trails that allow both visual and physical access to the river.
60. **Objective 7**, calls for meeting the requirements of Statewide Planning Goal 15, Willamette River Greenway. The amendments for the North Macadam District support this objective by facilitating the completion of the Willamette Greenway Trail through the district and by providing opportunities for enhanced riverbank treatments. See the findings for State Goal 15, Willamette River Greenway.

## Central City Plan Findings

Portland City Council adopted the *Central City Plan* in 1988 and portions of the plan have been updated since that time.

61. The *Central City Plan* contains a specific policy applicable to North Macadam, Policy 21: North Macadam, which is being revised as part of this North Macadam project. The amendments for the North Macadam District are consistent with the *Central City Plan* because they reinforce the goal of encouraging the continued investment within the Central City while enhancing its attractiveness for work, recreation and living. The amendments also emphasize the Central City as the economic, cultural and educational center of the region while also improving transportation and open space networks in the Central City.
62. **Policy 1, Economic Development**, calls for building upon the Central City as the economic heart of the region and guiding the Central City's growth to foster the city's prosperity and livability. The amendments for the North Macadam District support this goal by calling for the creation of a vibrant urban neighborhood and infrastructure necessary to support high technology industries. This includes the creation of up to 10,000 new jobs and at least 3,000 housing units. The amendments also call for a district economic development strategy to promote bioscience in the district as well as encouraging a range of businesses from start-up firms to corporate headquarters, with a particular focus on knowledge-based industries.
63. **Policy 2, The Willamette Riverfront**, calls for the enhancement of the Willamette River as the focal point for views, public activities and development that knits the city together. The amendments for the North Macadam District are consistent with this policy by amending the policies, *Zoning Code* and design guidelines to create a vibrant urban neighborhood connected to and enriched by a clean and healthy river. In particular, the land use and urban form policy includes an objective to provide physical and visual connections to the Willamette River from both the district and the adjoining neighborhoods. Additional strategies call for a design coordination plan for the planning and implementation of a greenway with a network of paths, habitat for fish and wildlife, and recreational opportunities.
64. **Policy 3, Housing**, calls for maintaining the Central City's status as Oregon's principal high density housing area by keeping housing production in pace with new job creation. The amendments for the North Macadam District are consistent with this policy by proposing policies and development standards supportive of the development of at least 3,000 residential units. Strategies include the identification of a residential emphasis area east of Bond and south of Gibbs. Other strategies include the provision of bonus floor area for the construction of middle-income housing, large dwelling unit (3+ bedrooms) housing, and an affordable housing replacement fund. In addition, the amendments include an action item that will analyze the implications of providing an additional 2,000 housing units (above the goal of 3,000 units) by 2019. Further, the amendments address affordable housing by calling for the provision of at least 800 affordable units to those earning less than 120% MFI, with at least 375 of those units affordable to those earning less than 50% MFI.

65. **Policy 4, Transportation**, calls for improving accessibility to the Central City from the rest of the region, and to extend the Central City's ability to accommodate growth. This policy also calls for extending the light rail system, as well as actions that will maintain and improve other forms of transit and the street and highway system, while preserving and enhancing the city's livability. The amendments for the North Macadam District are consistent with this policy because they contain policies that call for:
- a) Constructing and extending the Portland Streetcar to the district. The streetcar will link the district with the rest of the Central City and Northwest Portland. It will provide a mass transit connection to the light rail and transit mall in downtown.
  - b) Completing the urban street grid as identified in the revised *North Macadam District Street Plan*, to improve the traffic flow to, within and through the district.
  - c) Recognizing that parking is an element of the transportation system by providing adequate parking in structures and surface lots that can be phased out over time.
  - d) Extending Portland's pedestrian friendly street grid into the district.
  - e) Encouraging the use of bicycles and alternative transportation by developing bikeways that are separate from pedestrianways wherever practical, particularly into and through parks and open spaces, and ensure that bicycle and pedestrian access exists to link internal employment, residential, neighborhood services, recreational and transit destinations.
  - f) Improving connections from the North Macadam District to other parts of the Central City and the southwest neighborhoods by making improvements to the north, central and south portals of the district. This includes enhancing access at the Bancroft/Hood/Macadam intersection, Harrison or Lincoln Streets, Gibbs and/or Curry Street, Bond Avenue, and River Parkway.
  - g) Encouraging development types and uses that encourage trips other than by single occupancy vehicles.
  - h) Preparing a transit service strategy for the district that includes phasing and implementation. Expand public transit service, as development occurs to ensure that a 30 percent mode split can be reached and maintained, with a 40 percent work mode split.
  - i) Connecting North Macadam to the regional light rail system.
  - j) Participating in the creation of a river taxi system that serves the entire Central City and nearby destinations.
66. **Policy 5, Human Services**, calls for providing social and health services for special needs populations, and assisting dependent individuals to become more independent. The amendments for the North Macadam District are consistent with this policy by amending the policies, *Zoning Code* and design guidelines in the following ways:
- a) Obtaining bonus floor area for contributions to the affordable housing replacement fund.
  - b) Developing the pedestrianways and greenway trail in ways that eliminate access barriers to the disabled and elderly.
  - c) Supporting the development of housing that is attractive and affordable to a broad range of households, with an emphasis on those employed in the district.

- d) Developing a Housing Implementation Strategy to achieve district housing goals including approximately 800 affordable units across a range of income levels, all below 120% MFI.
67. **Policy 6, Public Safety**, calls for the protection of all citizens and their property and creation of an environment in which people feel safe. The amendments for the North Macadam District are consistent with this policy by including projects that address crime prevention through environmental design principles by increasing the number of people in the area, completing the street grid which will improve emergency access, and creating opportunities for mixed use development that includes office, retail, residential and recreation uses, thus increasing the presence of people in the district.
68. **Policy 7, Natural Environment**, calls for improving the Central City's environment by reducing pollution, keeping the Central City clean and green, and providing opportunities to enjoy nature. The amendments for the North Macadam District are consistent with this policy by amending the policies, *Zoning Code* and design guidelines in the following ways:
- a) Reducing air pollution by developing housing close to employment centers, which enhances the opportunities for using alternative transportation.
  - b) Completing the greenway trail and connecting it to the 40-Mile Loop.
  - c) Providing frequent opportunities to access and view the river.
  - d) Enhancing the Willamette riverbank using a variety of riverbank treatments to provide for bank stability, improved habitat, passive recreational use, and access to the river's edge at key locations.
  - e) Developing green accessways for pedestrians and bicyclists along east-west rights-of-ways and easements.
  - f) Requiring dense plantings of native riparian plants within the greenway setback.
  - g) Replacing the garden roof bonus with an eco-roof bonus that encourages environmentally beneficial roofs with plants and superior stormwater management capabilities that will improve water quality of the Willamette River.
69. **Policy 8, Parks and Open Spaces**, calls for building a park and open space system of linked facilities that tie the Central City districts together and to the surrounding community. The amendments for the North Macadam District are consistent with this policy by developing a funding strategy for acquisition and maintenance of parks throughout the North Macadam District. The amendments also call for the development of additional active and passive park space in this park deficient area, including Ross Island Bridge Park, a neighborhood park and an urban plaza. The transportation policy includes an objective to develop "green" accessways as a means of providing pedestrian linkages from the greenway to the rest of the district. A bifurcated recreational trail within the greenway setback will help establish a public transportation connection between the North Macadam district and downtown to the north and John's Landing to the south.
70. **Policy 9, Culture and Entertainment**, calls for the provision and promotion of facilities, programs and public events and festivals that reinforce the Central City's role as a cultural and entertainment center for the metropolitan and Northwest region. The amendments for

the North Macadam District are consistent with this policy by amending the policies and development standards to encourage and support the development of a series of parks throughout the district and a greenway of 100 feet in width and over a mile long running alongside the Willamette River. In addition, the amendments call for the development of a public plaza in the northern part of the district, allowing for large and small public gatherings. The amendments also include an action item to promote the use and integration of public art throughout the parks, greenway and open spaces in North Macadam.

71. **Policy 10, Education**, calls for the expansion of educational opportunities to meet the needs of Portland's growing population and businesses and to establish the Central City as a center of academic and cultural learning. The amendments for the North Macadam District support this policy by extending the streetcar into the district. This will provide a link to Portland State University, Central Library, Lincoln High School, the Downtown Cultural District, and the Pacific Northwest College of Art in the River District. The amendments also support possible educational and learning projects within the greenway setback, including interpretative kiosks and museums or exhibits that document the history, economy and ecology of the Willamette River and North Macadam.
72. **Policy 12, Urban Design**, calls for enhancing the Central City as a livable, walkable area that focuses on the Willamette River and captures the glitter and excitement of city living. The amendments for the North Macadam District support this policy by amending the policies, *Zoning Code* and design guidelines in the following ways:
  - a) Creating new open spaces, particularly along the river.
  - b) Completing the Willamette Greenway Trail between the South Waterfront Park and John's Landing.
  - c) Connecting the Willamette Greenway Trail to the existing 40-Mile Loop.
  - d) Completing the street grid in the district, including accessways and the creation of an enjoyable pedestrian experience.
  - e) Requiring enhanced pedestrian intersections throughout the district with landscaping and street furniture.
  - f) Encouraging the human experience through requiring active ground floor uses at street level.
  - g) Providing excellence in urban design through updated district design guidelines.
  - h) Promoting building forms that respect the relationship of the district to the river and the adjacent neighborhoods.
73. **Policy 12, Plan Review**, calls for periodically reviewing the progress of the *Central City Plan*. The amendments support this policy because the *North Macadam Plan* is an update to the *Central City Plan* for the North Macadam subdistrict that refines and revises district policies, objectives and actions to better represent the future goals and desires for the district.
74. **Policy 21, North Macadam District**, calls for the development of North Macadam as a mixed-use neighborhood with significant residential development along the riverbank and commercial development in the western part of the district along a future light rail line. This policy is the subject of the amendments for the North Macadam District in the North



Macadam planning process. City Council's adoption of these revisions will revise this policy.

75. **Urban Design Plan Map for North Macadam.** The amendments for the North Macadam District implement the projects shown on the urban design map for North Macadam in the following ways:
- a) Revising the area of required residential development.
  - b) Requiring enhanced pedestrian intersections that allow for wide and inviting pedestrian thoroughfares, street furniture, and places for stopping, sitting, or shopping.
  - c) Providing for the siting and maintenance of viewpoints within the greenway.
  - d) Enhancing the boulevard treatment for Macadam Avenue.
  - e) Studying the feasibility of the creation of water taxi stops.

## CENTRAL CITY TRANSPORTATION MANAGEMENT PLAN FINDINGS

Portland City Council adopted the *Central City Transportation Management Plan (CCTMP)*, in September 1995 to promote economic vitality, livability, and environmental quality in the Central City. The objectives of the *CCTMP* include creating and retaining new housing and jobs in the Central City, reducing automobile use, increasing mass transit use and improving air quality. The amendments for the North Macadam District support the policies of the *CCTMP* by fostering the development of at least 3,000 residential units and up to 10,000 jobs, improving the transit service to the district, and fostering the development of a spacious greenway. The amendments for the North Macadam District further support the specifics of this plan in the following ways:

76. **Policy 1: Growth with Livability**, calls for supporting the vitality of existing residences and businesses and the development of new housing in the Central City. This policy also calls for measures that will attract new jobs to the Central City, as well as ongoing maintenance and improvements to the transportation systems for all modes. The *CCTMP* policies are intended to support economic development in the Central City with transportation policies and infrastructure supportive of high-density development that will accommodate growth. The amendments for the North Macadam District support this policy by:
  - a) Fostering the development of up to 10,000 new jobs and at least 3,000 new housing units.
  - b) Providing bonus provisions for the development of housing, especially affordable housing.
  - c) Providing implementation mechanisms for improvements to existing trafficways and for the delivery of improved transit and traffic systems to new employment centers and new housing.
77. **Policy 2: Circulation and Access**, calls for maintaining and enhancing the economic vitality and livability of the Central City through balanced transportation management programs which enhance mobility and access. The amendments for the North Macadam District support this policy in that they:
  - a) Focus infrastructure investments on facilities that provide access to and within the emerging North Macadam district, including actions to create a transportation management association and improving pedestrian and bicycle access and safety.
  - b) Construct new sidewalks and other improvements, including street furniture and streetlights that enhance the pedestrian environment.
  - c) Construct and maintain a bifurcated trail system within the greenway, proposed to be 12 feet wide for each of the two segments. One segment will be for wheels and the other for pedestrians.
  - d) Construct bikeways, pedestrianways and accessways accommodating bikes and pedestrians.
  - e) Construct the Portland Streetcar into, and possibly through, the district.
  - f) Increase and improve transit to and through the district, including the addition of more buses, a tram, and a transit hub.

- g) Construct improvements to portals, including the Bancroft/Hood/Macadam and Macadam/Curry/Gibbs intersections, and transportation and pedestrian access improvements to downtown, RiverPlace, and the Corbett-Terwilliger Lair Hill neighborhoods.
  - h) Construct River Parkway as an additional north/south neighborhood street.
  - i) Make improvements to Bond and Moody Avenues.
  - j) Reduce number and location of curb cuts by restricting parking access on Bond and River Parkway.
  - k) Provide linkages between the riverfront and pedestrian areas by using accessways.
  - l) Implement the *North Macadam District Street Plan*, which sets out a complete street network in the North Macadam District.
78. **Policy 3: Mode Split**, calls for reducing the mode split of single-occupant vehicles by commuters in order to reduce vehicle miles traveled per capita and lessen congestion during the peak hour. The amendments for the North Macadam District support this policy because they:
- a) Facilitate the location within the North Macadam District of streetcar, bus, tram, water taxi, a transit hub, and/or light rail improvements through the availability of land, funding, or both.
  - b) Construct new and make improvements to existing bicycle and pedestrian connections to the district, including crossings over Interstate 5, and connections at Sheridan Street, Bancroft Street, and the greenway trail.
  - c) Connect North Macadam to the regional light rail system.
  - d) Achieve at least a 30 percent mode split for public transit, pedestrian and bicycle trips, with at least a 40 percent work mode split.
  - e) Prepare a transit service strategy for the district that includes phasing, implementation, and expansion of public transit service as development occurs to ensure that the 30 percent mode split objective can be reached and maintained.
  - f) Develop an implementation plan for the transit hub including design and engineering of needed improvements.
  - g) Study the feasibility of the creation of a river taxi system that serves the entire Central City and nearby destinations.
  - h) Complete the Willamette Greenway trail, making it accessible to bicyclists and pedestrians as a transportation route.
  - i) Accommodate up to 10,000 jobs and at least 3,000 housing units within the district, which may result in lower vehicle miles traveled.
79. **Policy 4: Parking**, calls for managing the supply of off- and on-street parking to improve mobility, support economic development, promote the use of alternative modes, and minimize impacts on adjacent neighborhoods. The amendments for the North Macadam District support this policy by applying parking requirements that both encourage economic development and enhance pedestrian and transit activity. This includes:

- a) Encouraging on-street parking throughout the district to support adjacent land uses.
  - b) Managing the supply of off-street parking in structures and surface lots to support new and existing economic development and to enhance the urban form of the Central City. This includes using maximum parking ratios, limiting supplemental surface parking and redeveloping surface spaces to other uses, and sharing parking spaces between uses to fully utilize the parking spaces within the district.
  - c) Controlling the maximum parking ratios for new office and residential development to recognize improvements in transportation infrastructure and transit service.
  - d) Allowing residential parking to be operated as shared, short-term commercial parking if it is approved through Central City Parking Review.
  - e) Encouraging ground floor active use areas to help foster a lively and attractive pedestrian environment.
80. **Policy 5: Transit**, calls for ensuring that the transit system will be a key component in stimulating economic development in the Central City, supporting the density and diversity of activities that lead to high levels of pedestrian and bicycle trips, minimizing automobile congestion, and improving air quality. The amendments for the North Macadam District support this policy in the following ways:
- a) Expand transit capacity and service within the Central City by extending the Portland Streetcar and bus routes to the North Macadam District, connecting to other Central City districts and city neighborhoods.
  - b) Establish a North Macadam District Transportation Management Association and prepare and enact a district transportation demand management plan.
  - c) Prepare a transit service strategy for the district that includes phasing, implementation and expansion of the transit service as development occurs to ensure that the 30 percent mode split (and 40 percent work mode split) objective can be reached and maintained.
  - d) Support the development of a bicable aerial tram between the North Macadam district and Oregon Health & Science University on Marquam Hill.
  - e) Establish a transit hub at the proposed tram landing.
  - f) Study the feasibility of the creation of a river taxi system that serves the entire Central City and nearby destinations.
  - g) Develop a public/private funding strategy for the Portland Streetcar.
  - h) Adopt design guidelines that encourage pedestrian-oriented environments and the likelihood of increased transit use.
81. **Policy 6: Demand Management**, calls for increasing the demand and availability of transit and ridesharing, and supporting walking, bicycling and other alternatives to the single-occupancy vehicle in every district of the Central City. The amendments for the North Macadam District support this policy in the following ways:
- a) Establish a North Macadam District Transportation Management Association and prepare and enact a district transportation demand management plan to support trip reduction programs.

- b) Create incentives to participate in transportation demand management strategies and programs.
  - c) Encourage high density, mixed use development that generates a low proportion of auto trips to jobs.
82. **Policy 7: Pedestrian Network**, calls for supporting the Central City as a pedestrian-friendly environment with good pedestrian connections to adjacent neighborhoods and a high level of pedestrian activity due to the availability, accessibility, convenience, safety, and attractiveness of the pedestrian network. The amendments for the North Macadam District support this policy by calling for the following:
- a) Achieve a 40 percent work mode split for home-based work trips.
  - b) Complete the Willamette Greenway trail, connecting it with the rest of the 40-Mile Loop Trail.
  - c) Limit parking access on Bond and River Parkway to minimize pedestrian-vehicle conflicts and encourage safe pedestrian movement.
  - d) Require minimum and maximum building setbacks at many locations and intersections throughout the district.
  - e) Study the possibility of providing improved pedestrian access to North Macadam from the Ross Island Bridge.
  - f) Require ground floor windows and/or other active building uses at many locations throughout the district.
  - g) Create green accessways, accessible as pedestrian connections, between the urban interior and the greenway setback.
  - h) Implement pedestrian-friendly design guidelines to ensure that a pleasant and enjoyable environment is created.
  - i) Construct new and make improvements to existing pedestrian connections to the district, including crossings over Interstate 5, and connections at Sheridan Street, Bancroft Street, and the greenway trail.
83. **Policy 8: Bicycle Movement**, calls for developing a bicycle plan for the Central City that establishes a bicycle route network, and developing strategies, including setting priorities, for implementation of programs and projects. The amendments for the North Macadam District support this policy through policies that encourage the following actions:
- a) Achieve a 40 percent work mode split for home-based work trips.
  - b) Construct a bifurcated trail system in the greenway, effectively separating wheels from pedestrians, and accommodating recreational users, bicycle commuters, and the occasional emergency vehicle.
  - c) Explore regional transportation improvements, including bicycle system improvements in the Macadam corridor south of the North Macadam District.
  - d) Construct new, and make improvements to existing, bicycle and pedestrian connections to the district, including crossings over Interstate 5, and connections at Sheridan Street, Bancroft Street, and the greenway trail.

- e) Study the possibility of improving the bicycle access from the Ross Island Bridge.
  - f) Provide parking, showers and locker room facilities (bicycle end-trip facilities) for larger commercial projects in the district.
84. **Policy 9, Air Quality**, calls for implementing an air quality plan that will ensure compliance with federal clean air standards. The amendments for the North Macadam District support this policy through policies that call for:
- a) Accommodating new housing and jobs, with the emphasis on housing for those employed in the district, thus reducing vehicle miles traveled.
  - b) Encouraging concentrated, mixed-use development that creates a low proportion of auto trips to jobs and fosters the use of alternative modes of transportation.
  - c) Establishing maximum parking ratios consistent with other parts of the Central City.
  - d) Supporting clean transit options like bicycles, walking, and streetcar travel.

## CORBETT-TERWILLIGER-LAIR HILL POLICY PLAN FINDINGS

The Portland City Council adopted three policies of the *Corbett-Terwilliger-Lair Hill (CTLH) Policy Plan* as part of Portland's *Comprehensive Plan* in 1977. These policies apply to the area within the boundaries of the Corbett-Terwilliger-Lair Hill neighborhood. The North Macadam subdistrict of the *Central City Plan* is within the boundaries of the Corbett-Terwilliger-Lair Hill neighborhood. The amendments for the North Macadam District support the *CTLH Policy Plan's* adopted policies because the amendments ensure that the area develops as a mixed-use neighborhood, that includes housing and transportation improvements.

85. **Land Use and Density Policy** calls for preserving the existing residential neighborhoods by stimulating compatible housing development and support services. The *North Macadam Plan* focuses new development and redevelopment east of I-5, in the Macadam Corridor, away from the existing residential neighborhoods to the south and west. In addition, the amendments for the North Macadam District support this policy because these amendments provide policies, regulations, and incentives to ensure the development of at least 3,000 new housing units in the district. All development projects in the district will be subject to design review ensuring consistency with development expectations.
86. **Transportation and Traffic Circulation Policy** calls for increasing the livability for the community planning area by reducing and controlling vehicular traffic that passes through the residential neighborhood and taking into consideration the circulation needs of residential, commercial, and industrial interests. The amendments for the North Macadam District support this policy by calling for the following:
  - a) Study the possibility of expanding the permit-parking program in all or part of the Corbett-Terwilliger-Lair Hill neighborhood.
  - b) Construct an urban street grid system for internal circulation and to improve connections to adjacent neighborhoods.
  - c) Improve the Moody-Bond corridor as the district's primary transit corridor.
  - d) Construct improvements to enhance access to the district, including the Bancroft/Hood/Macadam intersection, Harrison or Lincoln Streets, Gibbs and/or Curry Street, Bond Avenue and River Parkway.
  - e) Increase and improve transit service to and through the area, including the Portland Streetcar.
  - f) Construct new and improve existing bicycle and pedestrian connections over Interstate 5, and connections at Sheridan Street, Bancroft Street, and the greenway trail.
87. **Macadam Corridor Policy** calls for controlling development and improvements in the Macadam Corridor. The amendments for the North Macadam District support this policy because they call for improvements to Macadam Avenue. The amendments also provide implementation mechanisms for improving the traffic and transit opportunities along the Macadam Corridor, including an action item to explore regional transportation improvements such as transit, vehicular, pedestrian and bicycle improvements south the North Macadam district.

NOW, THEREFORE, the Council directs:

- a. Adopt the Planning Commission's report and recommendations on the North Macadam Project as shown in the document titled *Recommended North Macadam Plan* dated September 10, 2002 and as amended by the *North Macadam Project: Amendments Report* (Exhibit F), as the basis for the items listed in directives "b" through "j" below. The Planning Commission's report and recommendation is attached to and incorporated in this ordinance as Exhibit A;
- b. Amend Portland's *Comprehensive Plan*, to incorporate the *North Macadam Plan* policies and objectives associated with each policy as shown in Exhibit A and as amended by *North Macadam Project: Amendments Report* (Exhibit F). The policies relate to land use and urban form, greenway and parks, transportation, district-wide environmental design and district development;
- c. Amend Title 33, Planning and Zoning, of the Municipal Code of the City of Portland, to incorporate all code amendments approved by the Council in the *Zoning Code for North Macadam*, Exhibit B, and as amended by *North Macadam Project: Amendments Report* (Exhibit F). Adopt the commentary in Exhibit B as an expression of legislative intent and as further findings to support the Council's action;
- d. Amend the *Central City Plan*, to incorporate *North Macadam Plan Vision* as part of the *Central City Plan*'s vision; to incorporate changes to the Policy 21: North Macadam, and as shown in the *North Macadam Project: Amendments Report* (Exhibit F);
- e. Replace the *Special Design Guidelines for the North Macadam District of the Central City Plan* with the *North Macadam Design Guidelines and Greenway Design Guidelines for North Macadam*, as shown in Exhibit C and as amended by the *North Macadam Project: Amendments Report* (Exhibit F);
- f. Adopt the *Supporting Information Document*, attached to this ordinance as Exhibit D, as further legislative findings in support of this ordinance;
- g. Amend the *Willamette Greenway Plan*, as shown in Exhibit E;
- h. Adopt the *North Macadam Project: Amendments Report*, attached to this ordinance as Exhibit F, as further legislative findings in support of this ordinance;
- i. Adopt the *Background Information on Amendment Request 17: Height Change for North of the Marquam Bridge*, attached to this ordinance as Exhibit G, as further legislative findings in support of this ordinance;
- j. Adopt the *Addendum to the North Macadam Project: Amendments Report*, attached to this ordinance as Exhibit H, as further legislative findings in support of this ordinance; and



Section 2: The effective date for directives a through j will be January 20, 2003. The time between adoption and the effective date will allow time for staff to complete an update of the *North Macadam District Street Plan*, to be consistent with relevant *North Macadam Plan* elements, including transportation policies, objectives, action charts and concept.

Passed by the Council, **NOV 13 2002**

Mayor Vera Katz  
Marie Johnson  
October 9, 2002

GARY BLACKMER  
Auditor of the City of Portland

By

*Susan Parsons*  
Deputy

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

**ORDINANCE NO. 1005**

Amending County Land Use Code, Plans and Maps to Adopt Portland's Recent Land Use Code, Plan and Map Revisions in Compliance with Metro's Functional Plan, and Declaring an Emergency

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

- a. The Board of County Commissioners (Board) adopted Resolution A in 1983 which directed the County services towards rural services rather than urban.
- b. In 1996, Metro adopted the Functional Plan for the region, mandating that jurisdictions comply with the goals and policies adopted by the Metro Council.
- c. In 1998, the County and the City of Portland (City) amended the Urban Planning Area Agreement to include an agreement that the City would provide planning services to achieve compliance with the Functional Plan for those areas outside the City limits, but within the Urban Growth Boundary and Portland's Urban Services Boundary.
- d. It is impracticable to have the County Planning Commission conduct hearings and make recommendations on land use legislative actions pursuant to MCC 37.0710, within unincorporated areas inside the Urban Growth Boundary for which the City provides urban planning and permitting services. The Board intends to exempt these areas from the requirements of MCC 37.0710, and will instead consider the recommendations of the Portland Planning Commission and City Council when legislative matters for these areas are brought before the Board for action as required by intergovernmental agreement (County Contract #4600002792) (IGA).
- e. On June 20, 2002 the Board amended County land use codes, plans and maps to adopt the City's land use codes, plans and maps in compliance with Metro's Functional Plan by Ordinance 984.
- f. Since the adoption of Ordinance 984, the City's Planning Commission recommended the land use code, plan and map amendments to the City Council through duly noticed public hearings.
- g. The City notified affected County property owners as required by the IGA.

- h. The City Council adopted the land use code, plan and map amendments, set out in Section 1 below and attached as Exhibits 1 through 7. The IGA requires that the County adopt these amendments for the City planning and zoning administration within the affected areas.

**Multnomah County Ordains as follows:**

**Section 1.** The County Comprehensive Framework Plan, community plans, rural area plans, sectional zoning maps, and land use code chapters are amended to include the City land use code, plan, guideline and map amendments, attached as Exhibits 1 through 7 and effective on the same date as the respective Portland ordinance:

Exhibit No.	Ordinance	Effective Date
1	North Macadam Resolution (36111)	1/20/2003
2	North Macadam Ordinance (177082)	1/20/2003
3	North Macadam Plan – Exhibit A	
4	North Macadam Zoning Code – Exhibit B	
5	North Macadam Design Guidelines – Exhibit C	
6	North Macadam Supporting Information – Exhibit D	
7	North Macadam Addendum – Exhibit E	

**Section 2.** In accordance with ORS 215.427(3), the changes resulting from Sections 1 of this ordinance shall not apply to any decision on an application that is submitted before the applicable effective date of this ordinance and that is made complete prior to the applicable effective date of this ordinance or within 180 days of the initial submission of the application.

**Section 3.** In accordance with ORS 92.040(2), for any subdivisions for which the initial application is submitted before the applicable effective date of this ordinance, the subdivision application and any subsequent application for construction shall be governed by the County's land use regulations in effect as of the date the subdivision application is first submitted.

**Section 4.** Any future amendments to the legislative matters listed in Section 1 above, are exempt from the requirements of MCC 37.0710. The Board acknowledges, authorizes and agrees that the Portland Planning Commission will act instead of the Multnomah Planning Commission in the subject unincorporated areas using the City's own procedures, to include notice to and participation by County citizens. The Board will consider the recommendations of the Portland Planning Commission when legislative matters for County unincorporated areas are before the Board for action.

**Section 5.** An emergency is declared in that it is necessary for the health, safety and general welfare of the people of Multnomah County for this ordinance to take effect concurrent with the City code, plan and map amendments. Under section 5.50 of the Charter of Multnomah County, this ordinance will take effect in accordance with Section 1.

FIRST READING AND ADOPTION:

January 23, 2003



BOARD OF COUNTY COMMISSIONERS,  
FOR MULTNOMAH COUNTY, OREGON

*Diane M. Linn*  
Diane M. Linn, Chair

REVIEWED:

Thomas Sponsler, County Attorney  
For Multnomah County, Oregon

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

## **EXHIBIT LIST FOR ORDINANCE**

- (1) North Macadam Resolution (City Res. 36111)
- (2) North Macadam Ordinance (City Ord. 177082)
- (3) North Macadam Plan – Exhibit A
- (4) North Macadam Zoning Code – Exhibit B
- (5) North Macadam Design Guidelines – Exhibit C
- (6) North Macadam Supporting Information – Exhibit D
- (7) North Macadam Addendum – Exhibit E

Prior to adoption, this information is available electronically or for viewing at the Multnomah County Board of Commissioners and Agenda website (<http://www.co.multnomah.or.us/cc/index.html>). To obtain the adopted ordinance and exhibits electronically, please contact the Board Clerk at 503-988-3277. These documents may also be purchased on CD-Rom from the Land Use and Transportation Program. Contact the Planning Program at 503-988-3043 for further information.

# AGENDA PLACEMENT REQUEST

BUD MOD #:

**Board Clerk Use Only:**

**Meeting Date:** January 23, 2003

**Agenda Item #:** R-2

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

**Date Submitted:** 12/30/02

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**Requested Date:** January 23, 2003

**Time Requested:** 5 minutes

**Department:** DBCS

**Division:** Land Use and Transportation

**Contact/s:** Susan Muir

**Phone:** 503-988-3182

**Ext.:** x83182

**I/O Address:** 455/116

**Presenters:** Susan Muir

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**Agenda Title:** An Ordinance Repealing Ordinance 952 to Delete the Real Property Compensation Law Subchapter from the Multnomah County Code.

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

- 
1. **What action are you requesting from the Board? What is the department/agency recommendation?** The recommendation is to repeal Ordinance 952, which addressed Ballot Measure 7, passed by voters on November 7, 2000 and found unconstitutional by the Oregon Supreme Court.
  2. **Please provide sufficient background information for the Board and the public to understand this issue.** On November 7, 2000, Oregon voters approved initiative Ballot Measure 7 on the subject of compensation for individual landowners when regulation reduces the value of their land, on November 30, 2002 the Board adopted Ordinance 952 adding a Real Property Compensation Law subchapter to the Code implementing the provisions of Measure 7, the effective date was slated to be December 7, 2000, the same date Measure 7 was to go into effect. A lawsuit was filed and on February 22, 2001, a Marion County judge ruled that Measure 7 was unconstitutional, that decision was also appealed and on October 4, 2002, the Oregon Supreme Court voided Measure 7 finding it did not follow the Oregon Constitution's provisions initiative. While the courts were

processing the Measure 7 appeals, our Ordinance 952 was appealed to the State Land Use Board of Appeals (LUBA) and that appeal was put on hold pending the outcome of the Measure 7 appeal process. On November 8, 2002, LUBA notified Multnomah County that the petitioner (1000 Friends of Oregon) will withdraw the appeal once Ord. 952 has been repealed or shown to be null and void. Subsequently, we are requesting the Board repeal Ordinance 952.

**3. Explain the fiscal impact (current year and ongoing). None**

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

**If a budget modification, explain:**

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

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

**If a contingency request, explain:**

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

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

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

**4. Explain any legal and/or policy issues. Repealing Ord. 952 will remove the legal issue we have with the pending appeal at LUBA.**

5. **Explain any citizen and/or other government participation that has or will take place.** No citizen and/or other government participation has or will take place to repeal this ordinance.

**Required Signatures:**

**Department/Agency Director:** *M. Cecilia Johnson* **Date:** 12/26/02

**Budget Analyst**

**By:** **Date:**

**Dept/Countywide HR**

**By:** **Date:**



BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

**ORDINANCE NO. 952**

Amends MCC Chapter 27, Environment and Property, to add provisions relating to Real Property Compensation Law, and Declaring an Emergency

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

a. This ordinance is adopted to comply with the results of the statewide vote on November 7, 2000, that approved an amendment to the State of Oregon constitution on the subject of compensation for individual landowners when regulation reduces the value of their land. The amendment was placed on the ballot through the initiative process and is designated as Ballot Measure 7.

b. Measure 7 amends the Oregon Constitution by adding subsections (a) through (f) to Section 18 of Article I. The text of Measure 7 (slightly reformatted for clarity) is:

THE CONSTITUTION OF THE STATE OF OREGON IS AMENDED BY  
ADDING THE FOLLOWING SUBSECTIONS TO SECTION 18 OF  
ARTICLE I:

(a) If the state, a political subdivision of the state, or a local government passes or enforces a regulation that restricts the use of private real property, and the restriction has the effect of reducing the value of a property upon which the restriction is imposed; the property owner shall be paid just compensation equal to the reduction in the fair market value of the property.

(b) For purposes of this section, adoption or enforcement of historically and commonly recognized nuisance laws shall not be deemed to have caused a reduction in the value of a property. The phrase "historically and commonly recognized nuisance laws" shall be narrowly construed in favor of a finding that just compensation is required under this section.

(c) A regulating entity may impose, to the minimum extent required, a regulation to implement a requirement of federal law without payment of compensation under this section. Nothing in this 2000 Amendment shall require compensation due to a government regulation prohibiting the use of a property for the purpose of selling pornography, performing nude dancing, selling alcoholic beverages or other controlled substances, or operating a casino or gaming parlor.

(d) Compensation shall be due the property owner if the regulation was adopted, first enforced or applied after the current owner of the property became the owner, and continues to apply to the property 90 days after the owner applies for compensation under this section.

(e) Definitions: For purposes of this section,  
"regulation" shall include any law, rule, ordinance, resolution, goal, or other enforceable enactment of government;  
"real property" shall include any structure built or sited on the property, aggregate and other removable minerals, and any forest product or other crop grown on the property;  
"reduction in the fair market value" shall mean the difference in the fair market value of the property before and after application of the regulation, and shall include the net cost to the landowner of an affirmative obligation to protect, provide, or preserve wildlife habitat, natural areas, wetlands, ecosystems, scenery, open space, historical, archaeological or cultural resources, or low income housing; and  
"just compensation" shall include, if a claim for compensation is denied or not fully paid within 90 days of filing, reasonable attorney fees and expenses necessary to collect the compensation.

(f) If any phrase, clause, or part of this section is found to be invalid by a court of competent jurisdiction, the remaining phrases, clauses and parts shall remain in full force and effect.

c. Measures approved by voters at the general election are effective the 30th day after election, unless otherwise specified for later implementation (OR CONST. ART. IV). The effective date of Measure 7 is December 7, 2000.

d. The general welfare of the people of Multnomah County is promoted by having this ordinance effective December 7, 2000, when Measure 7 is effective.

e. The meaning of the various provisions in the measure is not clear by the language used, and the only legislative history which can be used to discern the intent of vague and undefined terms found in the voter pamphlet statements that include conflicting statements. This ordinance is necessary to adjudicate claims made to the County.

f. 55% of the voters in Multnomah County voted against the measure.

g. Multnomah County intends to protect and preserve the quality of life and social benefits that accrue to both rural and urban citizens by continued implementation of the existing regulatory framework in conjunction with implementation of Measure 7.

h. This ordinance defines the terms of Measure 7 to further the public interest by restricting the number and value of claims for compensation that may be made, consistent with the apparent intent of Measure 7.

**Multnomah County Ordains as follows:**

**Section 1.** The following provisions are added to MCC Chapter 27, Environment and Property:

***REAL PROPERTY COMPENSATION LAW***

**27.500 PURPOSE.**

This subchapter is the Real Property Compensation Law. It implements the provisions added to Oregon Constitution Article I, section 18 by Measure 7 (November 7, 2000). The measure permits owners of private real property to apply for compensation for the reduction of property value resulting from a regulation that *restricts the use* of that property. The subchapter provides a prompt, open and thorough process that enables property owners to present their legitimate claims consistent with the Oregon Constitution.

**27.501 DEFINITIONS.**

For the purposes of this subchapter, the following definitions, and those of MCC 1.002 and MCC 33.005 apply unless the context requires a different meaning. The definitions in this subchapter prevail over any conflicting definitions in Chapters 1 or 33.

***ADOPTED.*** The date a regulation is enacted or passed by the Board.

***APPLIED.*** The date the zoning map became effective against a specific real property.

***APPRAISAL.*** An *appraisal* by an appraiser licensed or certified by the Appraiser Certification and Licensure Board of the State of Oregon or an appraiser registered under state law.

***EXEMPT REGULATION.*** A regulation that:

- (1) is a historically and commonly recognized nuisance law (Ore Const, Art I, sec 18(b));
- (2) implements a requirement of federal law, including but not limited to the Endangered Species Act, Clean Water Act, Telecommunications Act, Columbia River Gorge National Scenic Area Act, Clean Air Act, Wild and Scenic Waterways Act, National Environmental Policy Act, Comprehensive

- Environmental Response, Compensation and Liability Act, Resource Conservation and Recovery Act, and Surface Mining Control and Reclamation Act to the minimum extent required; or
- (3) prohibits selling pornography, performing nude dancing, selling alcoholic beverages or other controlled substances, or operating a casino or gaming parlor (Ore Const, Art I, sec 18(c)).

**FIRST ENFORCED.** The date a regulation becomes effective against a specific real property.

**PASSES.** The date a regulation is adopted by the Board of County Commissioners.

**PROPERTY OWNERS.** The owners of record or contract purchasers identified in a preliminary title report.

**REGULATION.** A county ordinance, resolution or other enforceable legislative enactment.

**RESTRICTS THE USE.** A regulation that restricts the type of use of private real property, but does not include a regulation that affects either the extent or location of a use, a land division, subdivision, or a regulation that governs development standards or construction.

#### **27.502 INITIATION OF CLAIM.**

Owners of record before the regulation was *adopted* or *first enforced* or *applied* may initiate applications for compensation for reduction in real property value due to a county regulation.

#### **27.503 CODE COMPLIANCE AND APPLICATIONS.**

The county will not approve any application for compensation for any property that is not in full compliance with all applicable provisions of the Multnomah County Land Use Code, Zoning Code, Land Division Code, Building and Specialty Codes and any permit approvals previously issued for that property by the county.

#### **27.504 APPLICATION REQUIREMENTS.**

All claims applications must be submitted at the Land Use Planning Division office on the most current form provided by the county, along with the appropriate fee and all necessary supporting documentation and information, sufficient to demonstrate compliance with all applicable approval criteria. The applicant has the burden of demonstrating, with substantial evidence, that all applicable approval criteria are, or can be met.

#### **27.505 APPLICATION INFORMATION.**

The applicant is responsible for the completeness and accuracy of the application and all of the supporting documentation. Unless specifically waived by the Planning Director, the following must be submitted:

(A) One copy of a completed county application form that includes the following information:

(1) An accurate legal description, tax account number(s), map and property address of all private real properties that are the subject of the application.

(2) Name, address, telephone number and authorization signature of all property owners.

(B) A current (within 30 days prior to application) preliminary title report for the subject property that includes title history, date applicant acquired ownership of the property, and any co-owners or security interests in the property.

(C) Identification of the *regulation* alleged that it *restricts the use* of the subject private real property, including when the *regulation* was *adopted*, *first enforced* or *applied*. Identification of the *regulation* applicable to the property immediately before the *regulation* that allegedly *restricts the use* of the property.

(D) The alleged effect of regulation that *restricts the use* on the property, including copies of appraisals by Appraisers showing the alleged reduction in fair market value of the property by showing the difference in the fair market value of the property within six months before and six months after the regulation is *adopted* or *first enforced* or *applied*. If the claimed reduction in fair market value is based on an alleged net cost to the property owner of an affirmative obligation to protect, provide or preserve wildlife habitat, natural areas, wetlands, ecosystems, scenery, open space, historical, archaeological or cultural resources or low income housing, the Appraisal must establish that net cost. If the claim is for more than \$10,000, two Appraisals must be submitted.

(E) A statement by the applicant of why the *regulation* alleged to *restrict the use* of the property is not an *exempt regulation*.

(F) A statement of the effect that a release of the *regulation* alleged to *restrict the use* of the property would have on the fair market value of the property, and the development potential for the property if it were not subject to that *regulation*.

(G) A statement of the relief sought by the applicant.

(H) All required application fees and any additional costs as set by Board resolution.

(I) Statement addressing the criteria in MCC 27.511.

#### **27.506 COMPLETENESS REVIEW AND 90-DAY RULE.**

(A) Upon submission of a compensation claim, the Planning Director will date stamp the application form and verify that the appropriate application fee has been submitted. The Planning Director will then review the application.

(B) The county will take action on the application within 90 days as required by Article I, section 18(d) of the Oregon Constitution unless the applicant waives or extends the 90-day period. The 90-day period does not apply when the applicant requests a hearing continuance or other process delay. Such requests by the applicant will be deemed an extension or waiver of the 90-day period.

### **27.507 HEARINGS NOTICE.**

Notice for all public hearings for compensation claim applications must conform to the requirements of this section. At least 20 days prior to the hearing, the county will send by first class mail, notice of the hearing to all owners of record of property within 750 feet of the subject property. Notice will also be sent to any county-recognized neighborhood association or identified agency whose territory includes the subject property. The county may also publish the notice in a newspaper of general circulation within the county at least 20 days prior to the hearing. Notice of the hearing will include the following information:

- (A) The time, date and location of the public hearing;
- (B) Property address or other easily understood location of the subject property and county assigned case file number;
- (C) A description of the applicant's claim, along with a list of the approval criteria that the county will use to evaluate the claim;
- (D) A statement that any interested party may testify at the hearing or submit written comments on the claim or prior to the hearing, and that a staff report will be prepared and made available to the public at least seven days prior to the hearing;
- (E) A statement that any issue that is intended to provide a basis for an appeal must be raised before the close of the public record. Issues must be raised and accompanied by statements or evidence sufficient to afford the county and all parties an opportunity to respond to the issue;
- (F) A statement that the application and all supporting materials and evidence submitted in support of the application may be inspected at no charge, and that copies may be obtained at cost, at the county Land Use Planning Division during normal business hours; and
- (G) The name and telephone number of the planning staff person responsible for the application and who is otherwise available to answer questions about the application.

### **27.508 POSTING NOTICE REQUIREMENTS.**

The requirements of this section may apply to compensation claims hearings at the discretion of the Planning Director.

- (A) The county will supply all of the notices that the applicant must post on the subject property, and will specify the dates the notices must be posted.
- (B) The applicant must place the notice along the frontage of the subject property. If a property's frontage exceeds 300 feet, the applicant must post one copy of the notice for each 300 feet or fraction thereof, not to exceed four signs. Notices must be posted within 10 feet of the right of way and must be clearly visible to pedestrians and motorists. To the extent practicable, all signs must be equally spaced. Notices must not be posted within the public right of way or on trees. The applicant must remove all signs within 10 days following the public hearing announced in the notice.

## 27.510 HEARINGS PROCESS.

All public hearings on compensation claims applications will be quasi-judicial. The hearings will be held by the Board of County Commissioners and comply with the procedures of this section.

(A) Once the Planning Director determines that an application for a compensation claim is complete, the Land Use Planning Division will schedule a hearing.

(B) Notice of the hearing will be issued in accordance with MCC 27.507.

(C) The property subject to the compensation claim application will be posted in accordance with MCC 27.508.

(D) The Planning Director will prepare a staff report on the application that describes the application and the applicant's claim, summarizes all relevant county department, agency and public comments, describes all other pertinent facts, and recommends whether the claim should be approved or denied. The Planning Director may retain the services of an Appraiser to appraise the property and the application claim to determine if the identified regulation reduced the fair market value of the property. The applicant must pay the cost of this appraisal.

(E) At the beginning of the initial public hearing authorized under these procedures, a statement will be announced that:

(1) Lists the applicable criteria;

(2) The hearing will proceed in the following general order: staff report, applicant's presentation, testimony in favor of the application, testimony in opposition to the application, rebuttal, record closes, deliberation and decision;

(3) All testimony and evidence submitted, orally or in writing, must be directed toward the applicable approval criteria. If any person believes that other criteria apply in addition to those addressed in the staff report, those criteria must be listed and discussed on the record. The Board may reasonably limit oral presentations in length or content depending upon time constraints. Any party may submit written materials of any length while the public record is open;

(4) Any party wishing a continuance or to keep open the record must make that request while the record is still open;

(5) The Board must disclose any ex parte contacts, conflicts of interest or bias before the beginning of each hearing item and provide an opportunity for challenge. Advised parties must raise challenges to the procedures of the hearing at the hearing and raise any issue relative to ex parte contacts, conflicts of interest or bias, prior to the start of the hearing.

(F) The Board may continue the hearing from time to time to allow submission of additional information or for deliberation without additional information. New notice of a continued hearing need not be given so long as the Board establishes a time certain and location for the continued hearing. The Board may close the hearing but keep open the record for the submission of additional written material or other documents and exhibits. The Board may limit the factual and legal issues that may be addressed in any continued hearing or open-record period.

(G) After the record is closed, the Board will make a decision that:

(1) Approves the claim to pay just compensation due to the property owner for reduction in the fair market value of the property from the time the regulation was *adopted* or *first enforced* or *applied* conditioned upon granting of a conservation easement or other interest in the property; or

(2) Denies the claim for compensation and releases the application of the regulation to the subject real property for two years from the final County decision or until Measure 7 is no longer valid, whichever is earlier in time. Any use established during the two-year release will be a nonconforming use at the expiration of the two-year period. The release of the regulation is a land use decision that may be appealed to the Land Use Board of Appeals; or

(3) Denies the claim based on failure to meet the required criteria. The denial of a claim is not a land use decision. The denial of the claim may be appealed to the Circuit Court.

#### **27.511 CRITERIA AND EVIDENCE.**

For a compensation claim to be approved, the applicant has the burden of establishing by clear and convincing evidence that the following findings can be made:

- (A) That the current owner has owned the property continuously since the *regulation* was *adopted* or *first enforced* or *applied* and the *regulation* will otherwise apply to the property for at least 90 days from the date of the application; and
- (B) That the *regulation* alleged to *restrict the use* of the property is not an *exempt regulation*; and
- (C) That the land use was permitted outright, or a primary use or an allowed use under applicable regulations at the time the current owner acquired the property; and
- (D) The land use has been denied or that there is other evidence that a specific land use is not permitted outright, or a primary use or an allowed use under current zoning; and
- (E) That the release of the *regulation* alleged to *restrict the use* of the property would have an effect on the fair market value of the property based on the development potential of the property if it were not subject to the *regulation*; and
- (F) The *regulation* has reduced the fair market value of the property in a sum certain when: (1) it was *adopted* or (2) *first enforced* or (3) *applied*.

#### **27.515 NO REAPPLICATION.**

If an application is denied or withdrawn following the close of the public hearing, no reapplication for the same or substantially similar compensation claim may be made by the current owner of the subject property.

#### **27.520 NOTICE OF DECISION.**

(A) The county will send notice by first class mail of all decisions made under this subchapter. Notice will be mailed to all parties within 750 feet of the subject property, to those who submitted written comment, and those that requested the decision in writing or provided



oral testimony at the hearing on the matter. The notice of decision must include the following information:

- (1) The file number and effective date of decision;
- (2) The name of the applicant;
- (3) The property address or other easily understood location of the subject property;
- (4) A brief summary of the decision, and if an approval, a description of the claim approved;
- (5) A statement that the decision is final unless appealed to the Circuit Court, and a description of the requirements for perfecting an appeal; and
- (6) The contact person, address and a telephone number for use in inspecting or obtaining a copy of the final decision.

(B) Any applicant request to modify a claim approval must be processed in the same manner, and shall be subject to the same criteria, as was the original application.

#### **27.521 RECORDING OF DECISION.**

The county may require that the applicant record with the county the Notice of Decision. The Notice of Decision must be placed in the county deed records prior to any payment of the claim. Proof of recording must be filed with the Land Use Planning Division. Recording must be at the applicant's expense. Any recording required under this section must be properly signed and executed within 30 days after the decision. Failure to sign and record the Notice of Decision within the prescribed period will void the decision.

#### **27.522 REVOCATION OF DECISIONS.**

If an applicant fails to fully comply with any condition of approval or otherwise does not comply fully with the compensation claim decision, the county may revoke or modify the decision. The revocation procedures of MCC 37.0760 apply.

#### **27.530 EX PARTE CONTACT, CONFLICT OF INTEREST AND BIAS.**

The following governs challenges to a commissioner's participation in a Board hearing:

(A) Any factual information obtained by a commissioner outside the context of a quasi-judicial hearing is an ex parte contact. Before close of a record, any commissioner who has obtained any material factual information through an ex parte contact must declare the content of that contact. Any interested party may comment on the substance of that contact. This rule does not apply to contacts between county staff and a commissioner.

(B) Whenever a commissioner, or any member of a commissioner's immediate family or household, has a financial interest in the outcome of a particular quasi-judicial matter, that commissioner must not participate in the deliberation or decision on that matter.

(C) All decisions in quasi-judicial matters must be fair, impartial and based on the

applicable criteria and the evidence in the record. Any commissioner who is unable to render a decision on this basis in any matter must refrain from participating in the deliberation or decision on that matter.

#### 27.540 PROCEDURAL OBJECTIONS.

Any party who objects to the procedure followed in any particular matter, including bias, conflict of interest and undisclosed ex parte contacts, must make a procedural objection prior to the county final decision. Procedural objections may be raised at any time prior to a final decision, after which they are deemed waived. In making a procedural objection, the objecting party must identify the procedural requirement that was not properly followed and identify how the alleged procedural error harmed that person's substantial rights.

**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 shall take effect on December 7, 2000, pursuant to section 5.50 of the Charter of Multnomah County.

ONE READING AND ADOPTION:

November 30, 2000



BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

Beverly Stein, Chair

REVIEWED:

THOMAS SPONSLER, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By

Thomas Sponsler  
Thomas Sponsler, County Attorney

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

**ORDINANCE NO. \_\_\_\_\_**

Repealing Ordinance 952 to Delete Real Property Compensation Law (Ballot Measure 7)  
Subchapter from the Multnomah County Code

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

a. On November 7, 2000, Oregon voters approved initiative Ballot Measure 7 requiring landowner compensation when regulation reduces the value of their land. Measure 7 amends Article I, section 18 of the Oregon Constitution.

b. On November 30, 2000, the Board adopted Ordinance 952 implementing the provisions of Measure 7 and adding a Real Property Compensation Law subchapter to the Code. (§§27.500 – 27.540, added by Ordinance 952, were renumbered as §§7.500 – 7.540 by Ordinance 971.) Ordinance 952 was made effective concurrently with Measure 7 on December 7, 2000.

c. A lawsuit filed in the Marion County Circuit Court challenged the validity of Measure 7. On December 6, 2000, the Court issued an injunction blocking implementation of the measure. On February 22, 2001, in McCall et al. v. Kitzhaber (2001), the Circuit Court found Measure 7 unconstitutional.

d. The Circuit Court's decision was appealed. On October 4, 2002, the Oregon Supreme Court voided Measure 7 finding that it did not follow the Oregon Constitution's initiative requirements.

e. Although Measure 7 never became effective, the Real Property Compensation Law subchapter should be removed from the Code.

**Multnomah County Ordains as follows:**

Ordinance 952 is repealed and MCC §§ 7.500 – 7.540 are deleted.

FIRST READING:

January 23, 2003

SECOND READING:

January 30, 2003

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

THOMAS SPONSLER, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By Sandra N. Duffy  
Sandra N. Duffy, Assistant County Attorney

# AGENDA PLACEMENT REQUEST

**BUD MOD #:**

**Board Clerk Use Only:**  
**Meeting Date:** January 23, 2003

**Agenda Item #:** R-3

**Est. Start Time:** 9:40 AM

**Date Submitted:** 01/07/03

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**Requested Date:** January 23, 2003

**Time Requested:** 3 minutes

**(Exception Requested: The current retail lease to Subway is subject to termination by the Tenant in the event that improvements are not completed by the County by February 2003. The Tenant is willing to construct the improvements at its expense and eliminate the February 2003 completion date based upon the approval by County of the proposed amendment. The amendment should be approved prior to February in order to avoid the possibility of termination. The proposed amendment has been discussed with Board staff, indicating that it should proceed.)**

**Department:** Business & Community Services

**Division:** Facilities & Property

**Contact/s:** Bob Oberst

**Phone:** 503 988-3851

**Ext.:** 83851

**I/O Address:** 274

**Presenters:** Bob Oberst

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**Agenda Title:** Amendment of Subway Retail Lease at 9000 N. Lombard Street, Portland, Oregon

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1. **What action are you requesting from the Board? What is the department/agency recommendation?**  
Approval of the FIRST AMEDMENT TO RETAIL LEASE before the Board, amending the August 22, 2002 RETAIL LEASE from Multnomah County to Subway Real Estate Corp. Facilities and Property Management Division recommends approval of the FIRST AMENDMENT TO RETAIL LEASE.
2. **Please provide sufficient background information for the Board and the public to understand this issue.**

Multnomah County, upon Board approval, entered into a retail lease of the retail space in the North Portland Clinic building dated August 22, 2002 to Subway Real Estate Corp. Subway has assigned its interest in the lease to Malik Pirani and Murad Pirani, as Subway franchisees.

The lease was to commence upon completion of tenant improvements by the County. The tenant improvements were to be completed no later than 120 days after notice to the County from the Tenant that the intended use of the space was approved by the City of Portland, and in no event later than 180 days from the date of the lease. If the improvements are not completed within the 180-day limit, the Tenant has the right to terminate the lease.

The Tenant had not received its City permit for the use as of December 24, 2002 and is still in the permitting process. The latest date for completion of construction of improvements by the County would be February 18, 2003 and the County would not now be able to complete the construction by that date. It would, therefore, not be prudent for the County to undertake the construction and cost of the improvements with the risk of termination present.

The franchisees and Subway are willing to amend the lease to provide that the Tenant will construct the improvements at its cost in return for a reduction in base rental for the initial term of the lease. This will preserve the proposed Subway restaurant operation at the site and be financially beneficial to the parties. The saving to the County exceeds the amount of rental reduction, the Tenant may be able to construct the improvements at less cost than the County, and the franchisees should be able to complete the improvements earlier and thus begin their business sooner.

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

The base rental revenue over the five year initial term of the lease would be reduced by a total of \$40,040. The County would save approximately \$50,000 in FY03 capital expenditure. There would be no other fiscal impacts to Multnomah County.

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

None.

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

None.

**Required Signatures:**

Department/Agency Director: *M. Cecilia Johnson* Date: 01/06/03

Budget Analyst  
By: Date:

Dept/Countywide HR  
By: Date:

MULTNOMAH COUNTY REAL PROPERTY LEASE DESCRIPTION FORM

Revenue.

Property Management Contact: Bob Oberst  
Division Requesting Lease: Facilities & Property

Phone: 83851 Date: 6/5/02  
Contact: Bob Oberst Phone: 83851

Lessor: Multnomah County  
Address: 401 N. Dixon Street, Portland, Oregon 97227  
Phone: 503-988-3322

Lessee: Subway Real Estate Corp. (Malik Pirani, Murad Pirani – franchisees)  
Address: 29783 Town Center Loop W, Wilsonville OR 97070 (Subway); 10010 S.W. Barbur  
Blvd., Portland, OR 97219 (franchisee)  
Phone: 503-582-1114 (Subway); 503-998-6677 (franchisee)

Address of lease and purpose: 9000 N Lombard Street, Portland, OR – Subway restaurant

Effective Date: upon execution

Expiration: five years from execution

Total Amount of Agreement : \$33,825

Payment Terms: \$563.75/month

Business Area  
3505

Cost Center  
N/A

Project Number  
N/A

Required Signatures

Date:

Department Head

*Debra Johnson*

1-6-03

County Counsel

*Matthew Ryan*

1/7/03

Property Management

*Robert Oberst*

1-6-03

County Executive/Sheriff

*Crain Mey*

1.23.03

Rev. 4-01 DISTRIBUTION: Originator; Contracts Administration; FM Fiscal Section

APPROVED MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # R-3 DATE 01.23.03  
DEB BOGSTAD, BOARD CLERK

## FIRST AMENDMENT TO RETAIL LEASE

Landlord:

Multnomah County, a political subdivision of the State of Oregon

Tenant:

Subway Real Estate Corp., a Delaware corporation

Sublessees:

Malik M. Pirani

Murad Pirani

### Recitals

Landlord and Tenant entered into a RETAIL LEASE on August 22, 2002 wherein Landlord leased to Tenant and Tenant leased from Landlord the Premises described in said RETAIL LEASE and located at 9000 N. Lombard Street in Portland, Oregon.

Tenant subleased the Premises to Sublessees on October 23, 2002.

The parties wish to amend the said RETAIL LEASE.

The parties hereby agree that the said RETAIL LEASE shall be amended, effective upon the full execution hereof, as follows:

Section 1 of said RETAIL LEASE is amended to read as follows:

**1. TERM.** The term of this Lease (the "Term") shall be for a period of five (5) years, commencing on the latter to occur of the following dates: March 31, 2003 or the date on which Tenant begins to transact business on, at, or from the Premises (the "Commencement Date"). If the first day of the Term shall be a day other than the first day of a calendar month, then the Term shall be deemed extended by the number of days between the Commencement Date of this Lease and the first day of the first calendar month thereafter, so that the Term shall expire at the end of a calendar month. Landlord shall deliver to Tenant the right to early possession of the Premises upon full execution hereof for the purpose of installation of Tenant's improvements to the Premises or for other purposes. Tenant's entry into the Premises shall be subject to all terms and conditions of this Lease except the payment of Rent. Tenant's entry shall mean entry by Tenant, its officers, contractors, employees, licensees, agents, servants, guests, invitees, and visitors. If Tenant is faced with unforeseen obstacles, delays, permitting failures or costs associated with the planned improvements to the Premises, Tenant shall have the right to terminate this Lease by written notice to Landlord, effective at any time prior to March 31, 2003. If the term of this lease has not commenced, as above provided, by May 31, 2003, either party shall have the right to terminate this lease by written notice to the other party, effective upon the date such notice is sent. Upon termination as herein provided, the parties to this Lease shall have no further obligation arising from this Lease



and Landlord shall not be responsible for any cost incurred by Tenant in connection with this Lease.

Section 2 (a) of said RETAIL LEASE is amended to read as follows:

**(a) Base Rent.** The minimum annual rent during the Term ("Base Rent") shall be five dollars and fifty cents (\$5.50) per square foot.

Base Rent shall be paid in advance on or before the first day of each calendar month during the Term, except for the first calendar month. Upon execution of this Lease, Tenant shall pay to Landlord Base Rent for the first full calendar month of the Term. If the first month of the Term shall be a partial month, Base Rent shall be prorated on a daily basis and the amount due for such partial month shall be paid on or before the first day of the first full calendar month following the Commencement Date.

Section 33 of said RETAIL LEASE is amended to read as follows:

**33. EXHIBITS AND ADDITIONAL PROVISIONS.** Exhibit A, which is referred to in this Lease, is attached hereto and by this reference incorporated herein. Additional provisions, if any, are set forth in Riders, attached hereto and by this reference incorporated herein.

Section 34 of said RETAIL LEASE is amended as follows:

Section 34 of said RETAIL LEASE is deleted in its entirety.

Section 36 of said RETAIL LEASE is amended to read as follows:

**36. OPTION TO RENEW RIDER.** Tenant shall have the option to renew this Lease for three (3) additional terms of five (5) years each, on the same terms and condition contained in this Lease, except for the Base Rent, which shall be at Fair Market Value.

In no event shall renewal option rent be greater than fourteen dollars and thirty cents (\$14.30) per square foot during the first renewal or increase more than ten percent (10%) from the previous term rent thereafter. The parties shall have thirty (30) days from the date Landlord received Tenant's notice of exercise in which to agree on the amount constituting the fair market rate. If Landlord and Tenant agree on the amount of the fair market rate, they shall immediately execute an amendment to this lease setting forth the amount of the Base Rent to be paid by Tenant during the Option Period. If Landlord and Tenant are unable to agree on the amount of the fair market rate within such time period, then, at the request of either party, the fair market rate shall be determined in the following manner: (i) within ten (10) days of the request of either party, Landlord and Tenant shall each select a licensed real estate broker or appraiser with not less than five (5) years experience in the business of retail leasing of property of the same type and use and in the same geographic area, as the Premises; (ii) within fifteen (15) days of their

appointment, such two real estate brokers or appraisers shall select a third broker or appraiser who is similarly qualified;(iii) within thirty (30) days from the appointment of the third broker or appraiser, the three brokers or appraisers so selected shall, acting as a board of arbitrators, then determine the amount of the fair market rate, basing their determination on standard procedures and tests normally employed in determining market rates and applying the factors included within the definition of fair market rate set forth in subparagraph (c) below. The decision of the majority of said brokers or appraisers providing such majority fully agreed on a fair market rate shall be final and binding upon the parties hereto. If a majority of the brokers or appraisers are unable to agree on the fair market rate within the stipulated period of time, the three opinions of the fair market rate shall be added together and their total divided by three; the resulting quotient shall be the fair market rate. If, However, the low opinion and/or the high opinion are/is more than fifteen percent (15%) lower and/or higher than the middle opinion, the low opinion and/or the high opinion, as the case may be, shall be disregarded. If only one opinion is disregarded, the remaining two opinions shall be added together and their total divided by two and the resulting quotient shall be the fair market rate. If both the low opinion and the high opinion are disregarded as stated in this paragraph, the middle opinion shall be the fair market rate. If a party does not appoint a qualified broker or appraiser within the required time period, the broker or appraiser appointed by the other party shall be the sole broker or appraiser and shall determine the fair market rate. If the two brokers or appraisers appointed by the parties are unable to agree on the third broker or appraiser either of the parties to the lease, by giving ten (10) days notice to the other party, can apply to the then president of the county real estate board of the county in which the Premises are located or to the presiding judge of the court of that county, for the selection of a third broker or appraiser who meets the qualifications stated in this paragraph. Each party shall pay the expenses and charges of the brokers or appraisers appointed by it and the parties shall pay the expenses and charges of the third broker or appraiser in equal shares. When the fair market rate has been so determined, Landlord and Tenant shall immediately execute an amendment to this lease stating the basic rent for the Option Period.

As used herein, the "market rate" shall be the monthly rental rate then obtained for five (5) year leases with comparable terms for comparable space within buildings in the same geographical area of similar type, identity, quality and location as the Property.

Tenant shall not assign or otherwise transfer this option or any interest therein and any attempt to do so shall render this option null and void. Tenant shall have no right to extend the term beyond Option Period. If Tenant is in default under this lease at the date of delivery of Tenant's notice of exercise to Landlord, then such notice shall be of no effect and this lease shall expire at the end of the initial term; if Tenant is in default under this lease at the last day of the initial term, then Landlord may in its sole discretion elect to have Tenant's exercise of this option be of no effect, in which case this lease shall expire at the end of the initial term.

The rights contained in this paragraph 36 shall be personal to the originally named Tenant and may be exercised only by the originally named Tenant (and may not be transferred or

assigned or exercised by any assignee, sublessee, or other transferee of Tenant's interest in this lease) and only if the originally named Tenant occupies the entire Premises as of the date it exercises this option in accordance with the terms of this paragraph 36. Tenant may exercise any such option only if Tenant is not in default under the Lease at the time the option is exercised and at the time the renewal term is set to commence.

Tenant may exercise its renewal option by irrevocable written notice given to Landlord at least ninety (90) days before expiration of the previous Term. The renewal term shall commence on the day following expiration of the initial Term. The renewal term shall commence on the day following expiration of the initial Term.

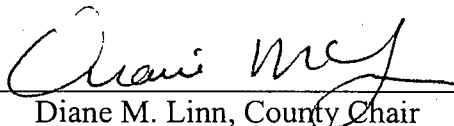
Exhibit B of said RETAIL LEASE is amended as follows:

Exhibit B is deleted in its entirety.

All other terms and provisions of said RETAIL LEASE shall remain in full force and effect for the Term.

Dated this \_\_\_ day of December, 2002.

Landlord:  
Multnomah County, a political subdivision  
of the State of Oregon

By:   
Diane M. Linn, County Chair

Reviewed:  
Thomas Sponsler, County Attorney  
for Multnomah County, Oregon

By: 

Tenant:  
Subway Real Estate Corp.

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

APPROVED MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # R-3 DATE 01.23.03  
DEB BOGSTAD, BOARD CLERK

Sublessees:

\_\_\_\_\_  
Malik M. Pirani

\_\_\_\_\_  
Murad Pirani

# AGENDA PLACEMENT REQUEST

**BUD MOD #:**

**Board Clerk Use Only:**

**Meeting Date:** January 23, 2003

**Agenda Item #:** R-4

**Est. Start Time:** 9:40 AM

**Date Submitted:** 01/15/03

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**Requested Date:** Thursday, January 23, 2003

**Time Requested:** 5 minutes

**Department:** Non-Departmental

**Division:** Chair's Office

**Contact/s:** Tom Sponsler

**Phone:** (503) 988-3138 **Ext.** 83138

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

**Presenters:** Thomas Sponsler

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**Agenda Title:** RESOLUTION Confirming the Interim Designations for Multnomah County Chair, Multnomah County Commissioner District 2, Multnomah County Auditor and Multnomah County Sheriff, in the Event of a Vacancy, per Multnomah County Charter Section 4.50(3) and Multnomah County Code 5.005

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

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1. **What action are you requesting from the Board? What is the department/agency recommendation?** Adopt Resolution confirming interim designations.
2. **Please provide sufficient background information for the Board and the public to understand this issue.** Multnomah County Charter Section 4.50(3) and Multnomah County Code 5.005 require elected officials to designate an interim occupant to serve until a vacancy is filled by election or appointment. This Resolution confirms the interim designations of the Chair, District 2 Commissioner, Auditor and Sheriff for their new term of office.
3. **Explain the fiscal impact (current year and ongoing).** N/A

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

If a budget modification, explain: N/A

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

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain: N/A

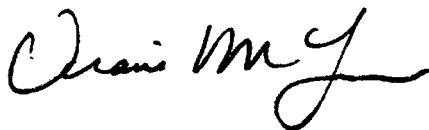
- ❖ Why was the expenditure not included in the annual budget process?
- ❖ What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?
- ❖ Why are no other department/agency fund sources available?
- ❖ Describe any new revenue this expenditure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

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

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

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

**Required Signatures:**



Department/Agency Director:

Date: 01/14/03

Budget Analyst

By:

Date:

Dept/Countywide HR

By:

Date:



## **Diane M. Linn, Multnomah County Chair**

Suite 600, Multnomah Building  
501 S.E. Hawthorne Blvd.  
Portland, Oregon 97214

Phone: (503) 988-3308  
FAX: (503) 988-3093  
Email: [mult.chair@co.multnomah.or.us](mailto:mult.chair@co.multnomah.or.us)

January 13, 2003

Deborah L. Bogstad  
Board Clerk  
501 SE Hawthorne, Suite 600  
Portland OR 97214

RE: County Chair Interim Designee

Should I have to leave office for any reason and in accordance with Charter section 4.50(3) and MCC 5.005, I designate Barbara Roberts as Interim County Chair for Multnomah County. Barbara Roberts will serve as County Chair until a new Commissioner is elected.

Barbara Roberts began her career in public service as an advocate for handicapped children. In 1969, she was an unpaid lobbyist spurred by concerns for her autistic son. She served on the Parkrose School Board, the Mt. Hood Community College Board, and the Multnomah County Commission before her election to the Oregon House of Representatives in 1981. During her second term, she became Oregon's first woman House majority leader. In 1984 Barbara was elected Secretary of State, and became the first Democrat elected to that post in 114 years. She was reelected in 1988.

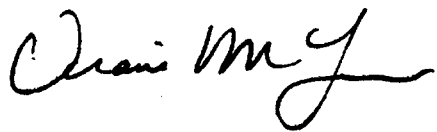
Barbara ran unopposed in the Democratic primary in 1990 and was subsequently elected to succeed Governor Neil Goldschmidt. Barbara Roberts was inaugurated as Oregon's first woman Governor on January 14, 1991. She completed her term as thirty-fourth governor in 1995. During her term, Barbara was recognized as a strong advocate for public education, human rights and services, environmental management, and streamlining State government.

On a personal note, Barbara is a fourth generation Oregonian. She was born in Corvallis and grew up in Sheridan, where she graduated from Sheridan High School. She attended Portland State University, the John F. Kennedy School of Government at Harvard University, and Marylhurst College.

Board Clerk  
January 13, 2003  
Page Two  
Re: Interim Designee

Generally, no one hopes there will be a need for an interim designee. However, I can think of no one more qualified or more principled to serve as Interim Multnomah County Chair. I am both pleased and honored that my friend and colleague, Barbara Roberts, has agreed to be my designee.

Sincerely,

A handwritten signature in black ink, appearing to read "Diane M. Linn". The signature is fluid and cursive, with a large, stylized "L" at the end.

Diane M. Linn

cc: Board of County Commissioners  
Multnomah County Auditor  
Multnomah County Sheriff  
Multnomah County District Attorney



Commissioner Serena Cruz, District 2

**MULTNOMAH COUNTY OREGON**

501 SE Hawthorne, Suite 600

Portland, Oregon 97214

(503) 988-5219 phone

(503) 988-5440 fax

[www.co.multnomah.or.us/cc/ds2/](http://www.co.multnomah.or.us/cc/ds2/)

[Serena@co.multnomah.or.us](mailto:Serena@co.multnomah.or.us)

January 14, 2003

Deborah L. Bogstad, Board Clerk

Multnomah County

501 SE Hawthorne Boulevard, Suite 600

Portland, Oregon 97214-3587

RE: District 2 Interim Designee

In accordance with County Charter Section 4.50(3) and Multnomah County Code Chapter 5.005, I have designated Charles Jordan as Interim District 2 Commissioner should I have to leave my office for any reason. As this section states, Charles Jordan would take over my position on an interim basis until a new Commissioner is appointed or elected.

Charles Jordan has devoted his professional life to public service and is recognized both for his leadership in the areas of land conservation, parks and recreation, and for his responsiveness to the diverse communities he serves.

He has also broadened the agenda of the environmental movement to make it more inclusive and relevant to minorities. As Director of Portland Parks and Recreation, Charles has worked closely with national and local agencies to ensure that our nation's legacy is no less than our inheritance. He has been a leading advocate for a national movement to create more 'close to home' outdoor recreation opportunities.

An articulate and passionate speaker, he has inspired thousands of people to make a difference in their own lives and in the lives of those around them.

Charles lives in District 2 and meets all of the Charter qualifications for appointees to the County Commission. I believe he is highly qualified to serve as an interim Commissioner in the event of a vacancy and would well serve District 2 constituents.

Sincerely,

*Serena*

Serena Cruz





SUZANNE FLYNN, Auditor

Multnomah County

501 SE Hawthorne, Room 601

Portland, Oregon 97214

Telephone (503) 988-3320

Telefax(503) 988-3019

[www.multnomah.lib.or.us/aud](http://www.multnomah.lib.or.us/aud)

## MEMORANDUM

Date: January 9, 2003

To: Deb Bogstad, Board Clerk

From: Suzanne Flynn, County Auditor

Subject: Interim Designee

In accordance with Charter Section 4.50(3) and MCC 5.005, I am designating LaVonne Griffin-Valade as interim Auditor should I leave my office for any reason. Ms. Griffin-Valade is a resident of Multnomah County, certified as an internal auditor, and currently employed in my office as a Senior Management Auditor. She is well qualified to assume these responsibilities until a new Auditor is appointed or elected.

Cc: LaVonne Griffin-Valade



**MULTNOMAH COUNTY SHERIFF'S OFFICE**  
501 SE HAWTHORNE BLVD., SUITE 350 • PORTLAND, OR 97214

*Exemplary service for a safe, livable community*

**BERNIE GIUSTO**  
**SHERIFF**

503 988-4300 PHONE  
503 988-4500 TTY  
[www.sheriff-mcso.org](http://www.sheriff-mcso.org)

**MEMORANDUM**

---

TO: Deborah Bogstad  
Clerk of the Board

cc: Tom Sponsler, County Attorney

FROM: Sheriff Bernie Giusto

DATE: January 10, 2003

RE: Designation of Interim Successor

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Pursuant to Multnomah County Charter Section 4.50 (3), and Multnomah County Code Chapter 5.005, I designate Chief Deputy Lee Graham to act as interim successor in the event I vacate the Office of Sheriff due to death, resignation, or incapacitation. Chief Deputy Lee Graham is qualified to be Sheriff pursuant to ORS 206.015.

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

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

Confirming the Interim Designations for Multnomah County Chair, Multnomah County Commissioner District 2, Multnomah County Auditor and Multnomah County Sheriff, in the Event of a Vacancy

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

- a. Multnomah County Charter Section 4.50(3) and Multnomah County Code 5.005 require elected officials to designate an interim occupant to serve until a vacancy is filled by election or appointment.
- b. In compliance with MCC 5.005(B)(1), Diane Linn, Multnomah County Chair, designates Barbara Roberts as interim occupant of that office.
- c. In compliance with MCC 5.005(B)(1), Serena Cruz, Multnomah County Commissioner District 2, designates Charles Jordan as interim occupant of that office.
- d. In compliance with MCC 5.005(B)(1), Suzanne Flynn, Multnomah County Auditor, designates LaVonne Griffin-Valade as interim occupant of that office.
- e. In compliance with MCC 5.005(B)(1), Multnomah County Sheriff Bernie Giusto designates Chief Deputy Lee Graham as interim occupant of that office in the event of a vacancy.
- f. Chief Deputy Lee Graham meets the qualifications of Sheriff required by ORS 206.015.

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

1. The Board confirms Barbara Roberts to serve as interim occupant for Multnomah County Chair in the event of a vacancy in that office.
2. The Board confirms Charles Jordan to serve as interim occupant for Multnomah County Commission District 2 in the event of a vacancy in that office.
3. The Board confirms LaVonne Griffin-Valade to serve as interim occupant for Multnomah County Auditor in the event of a vacancy in that office.

4. The Board confirms Chief Deputy Lee Graham to serve as interim occupant for Multnomah County Sheriff in the event of a vacancy in that office.

ADOPTED this 23rd day of January, 2003.

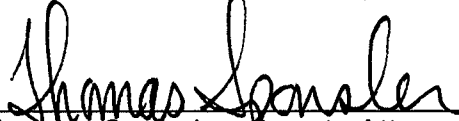
BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

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Diane M. Linn, Chair

REVIEWED:

THOMAS SPONSLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By   
Thomas Sponsler, County Attorney

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

**RESOLUTION NO. 03-014**

Confirming the Interim Designations for Multnomah County Chair, Multnomah County Commissioner District 2, Multnomah County Auditor and Multnomah County Sheriff, in the Event of a Vacancy

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

- a. Multnomah County Charter Section 4.50(3) and Multnomah County Code 5.005 require elected officials to designate an interim occupant to serve until a vacancy is filled by election or appointment.
- b. In compliance with MCC 5.005(B)(1), Diane Linn, Multnomah County Chair, designates Barbara Roberts as interim occupant of that office.
- c. In compliance with MCC 5.005(B)(1), Serena Cruz, Multnomah County Commissioner District 2, designates Charles Jordan as interim occupant of that office.
- d. In compliance with MCC 5.005(B)(1), Suzanne Flynn, Multnomah County Auditor, designates LaVonne Griffin-Valade as interim occupant of that office.
- e. In compliance with MCC 5.005(B)(1), Multnomah County Sheriff Bernie Giusto designates Chief Deputy Lee Graham as interim occupant of that office in the event of a vacancy.
- f. Chief Deputy Lee Graham meets the qualifications of Sheriff required by ORS 206.015.

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

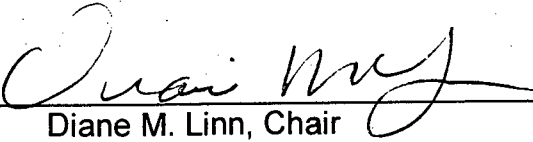
1. The Board confirms Barbara Roberts to serve as interim occupant for Multnomah County Chair in the event of a vacancy in that office.
2. The Board confirms Charles Jordan to serve as interim occupant for Multnomah County Commission District 2 in the event of a vacancy in that office.
3. The Board confirms LaVonne Griffin-Valade to serve as interim occupant for Multnomah County Auditor in the event of a vacancy in that office.

4. The Board confirms Chief Deputy Lee Graham to serve as interim occupant for Multnomah County Sheriff in the event of a vacancy in that office.

ADOPTED this 23rd day of January, 2003.

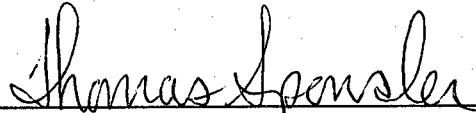


BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

  
Diane M. Linn, Chair

REVIEWED:

THOMAS SPONSER, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By   
Thomas Sponsler, County Attorney

## AGENDA PLACEMENT REQUEST

**BUD MOD #:**

**Board Clerk Use Only:**

**Meeting Date:** January 23, 2003

**Agenda Item #:** R-5

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

**Date Submitted:** 01/10/03

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**Requested Date:** January 23, 2003

**Time Requested:** 5 Minutes

**Department:** Non-Departmental

**Division:** Chair's Office

**Contact/s:** Chair Diane Linn

**Phone:** 503/988-3308

**Ext.:** 83308

**I/O Address:** 503/600

**Presenters:** Chair Diane Linn

---

**Agenda Title:** Approve appointment of Patricia Pate as Director of the Department of County Human Services and Appointing Patricia Pate as County Financial Assistance Administrator for the State of Oregon Department of Human Services, 2001-2003 County Financial Assistance Intergovernmental Revenue Agreement 0210007

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

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

Approve appointment of Patricia Pate as Director of the Department of County Human Services and Appointment Patricia Pate as County Financial Assistance Administrator for the State of Oregon Department of Human Services, 2001-2003 County Financial Assistance Intergovernmental Revenue Agreement 0210007

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

As Executive Director of Community Outreach, Inc. (serving Linn, Benton, and northern Lane counties), Patricia managed the region's largest integrated human services organization. Her efforts helped guide that organization through a transformation to be recognized as the first recipient of the Governor's Award for Community Partnerships.

As an adjunct faculty member teaching in the Masters Degree and Certificate Programs at PSU's College of Urban and Public Affairs, Patricia became experienced in teaching government and non-profit management with special emphasis on the adaptation of applicable for-profit techniques. She developed strong and enduring relationships with the Oregon non-profit, corporate, and governmental sectors. Patricia is active in building executive leadership in minority communities. During the past five years Patricia served as a regular instructor for the Northwest Health Foundation's courses on developing business plans for non-profit organizations.

Patricia Pate is highly regarded as an individual who brings integrity and responsible management practices to her work. Patricia's background of over 25 years in management and delivery of human services to diverse populations and her education and experience in fiscal management make her uniquely qualified to lead the Department of County Human Services.

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

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

**If a budget modification, explain:**

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

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

**If a contingency request, explain:**

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

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

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



❖ How will the county indirect and departmental overhead costs be covered?

4. Explain any legal and/or policy issues.

No legal or policy issues.

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

N/A

**Required Signatures:**



Department/Agency Director:

Date: 1/10/03

Budget Analyst

By:

Date:

Dept/Countywide HR

By:

Date:

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

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

Consent to Appointment of Patricia Pate as Director of the Department of County Human Services and Appointing Patricia Pate as County Financial Assistance Administrator for the State of Oregon Department of Human Services, 2001-2003 County Financial Assistance Intergovernmental Revenue Agreement 0210007

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

- a. Multnomah County Charter Section 6.10(3) provides that Chair appointment of department heads (directors) is subject to consent of a majority of the Board.
- b. The Multnomah County Department of County Human Services provides mental health, alcohol and drug and developmentally disabled treatment services to citizens of Multnomah County.
- c. The County has requested financial assistance from the State of Oregon Department of Human Services to operate or contract for the operation of its community mental health, alcohol and drug, and developmental disabilities program.
- d. The State of Oregon Department of Human Services is willing, upon the terms and conditions of the 2001-2003 Financial Assistance Agreement (Agreement), to provide such financial assistance (Assistance Award) to the County.
- e. The Agreement was approved by the County by adoption of Resolution No. 01-085 dated June 21, 2001.
- f. Section III.B of the Agreement requires the County by resolution to appoint an officer to administer the Agreement (County Financial Assistance Administrator) and to authorize the County Financial Assistance Administrator to amend the Assistance Award and Agreement on behalf of the County.
- g. The Chair appoints Patricia Pate as the Director of the Department of County Human Services effective January 15, 2003.

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

1. In accordance with Multnomah County Charter Section 6.10(3), the Board consents to the appointment of Patricia Pate as the Director of the Department of County Human Services effective January 15, 2003.

2. The Board appoints Patricia Pate as the County Financial Assistance Administrator and authorizes Patricia Pate to amend the Assistance Award on behalf of the County, by execution and delivery of amendments to the Agreement in accordance with Section III (C).

ADOPTED this 23rd day of January, 2003.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

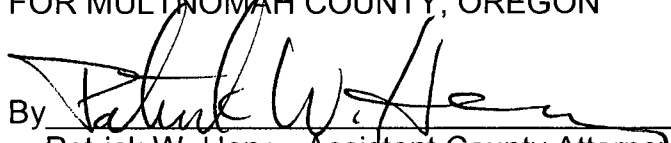
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Diane M. Linn, Chair

REVIEWED:

THOMAS SPONSLER, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By



Patrick W. Henry, Assistant County Attorney

**BOGSTAD Deborah L**

**From:** LOPRESTI Kristie M  
**Sent:** Thursday, January 23, 2003 3:58 PM  
**To:** BOGSTAD Deborah L  
**Subject:** R-5 of today's board meeting

Hey Deb - I noticed the R-5 resolution for our new Director, Patricia Pate on the 1/23 board agenda. I need to get a copy of this to forward to the state giving her signing authority for the County Financial Assistance Agreement. When you get a moment (like that ever happens) can you please send me one at 166/7? Thanks, Kristie

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

**RESOLUTION NO. 03-015**

Consent to Appointment of Patricia Pate as Director of the Department of County Human Services and Appointing Patricia Pate as County Financial Assistance Administrator for the State of Oregon Department of Human Services, 2001-2003 County Financial Assistance Intergovernmental Revenue Agreement 0210007

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

- a. Multnomah County Charter Section 6.10(3) provides that Chair appointment of department heads (directors) is subject to consent of a majority of the Board.
- b. The Multnomah County Department of County Human Services provides mental health, alcohol and drug and developmentally disabled treatment services to citizens of Multnomah County.
- c. The County has requested financial assistance from the State of Oregon Department of Human Services to operate or contract for the operation of its community mental health, alcohol and drug, and developmental disabilities program.
- d. The State of Oregon Department of Human Services is willing, upon the terms and conditions of the 2001-2003 Financial Assistance Agreement (Agreement), to provide such financial assistance (Assistance Award) to the County.
- e. The Agreement was approved by the County by adoption of Resolution No. 01-085 dated June 21, 2001.
- f. Section III.B of the Agreement requires the County by resolution to appoint an officer to administer the Agreement (County Financial Assistance Administrator) and to authorize the County Financial Assistance Administrator to amend the Assistance Award and Agreement on behalf of the County.
- g. The Chair appoints Patricia Pate as the Director of the Department of County Human Services effective January 15, 2003.

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

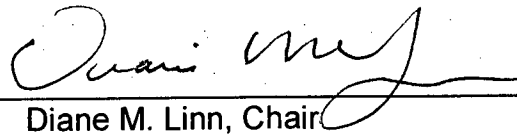
1. In accordance with Multnomah County Charter Section 6.10(3), the Board consents to the appointment of Patricia Pate as the Director of the Department of County Human Services effective January 15, 2003.

2. The Board appoints Patricia Pate as the County Financial Assistance Administrator and authorizes Patricia Pate to amend the Assistance Award on behalf of the County, by execution and delivery of amendments to the Agreement in accordance with Section III (C).

ADOPTED this 23rd day of January, 2003.

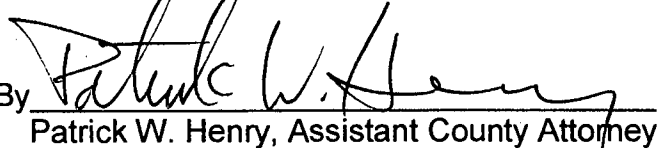


BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

  
Diane M. Linn, Chair

REVIEWED:

THOMAS SPONSLER, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By   
Patrick W. Henry, Assistant County Attorney



## **Diane M. Linn, Multnomah County Chair**

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Media Release  
January 15, 2003

Contact: Becca Uherbelau  
503-988-5273

### **County Chair Brings Department Director Appointment to Board**

Chair Linn will ask the Board of County Commissioners to approve her appointment of Patricia Pate as permanent Director of the Department of County Human Services.

Pate is currently the Corporate Relations Director/Senior Administrator at Smith College in Massachusetts. Concurrently, she is an Adjunct Assistant Professor at Portland State University's College of Urban and Public Affairs, Institute for Non-Profit Management.

"Our national search for the Director position resulted in a talented and capable woman who has a proven history of skilled management in the private and non-profit sectors. I have complete confidence that Ms. Pate can successfully direct the department – especially in these lean budgetary times –with creativity and leadership," said Chair Diane Linn.

Pate has over 25 years management experience that includes serving as Executive Director of Community Outreach, Inc. from 1994-2000, the largest non-profit agency serving Benton, Linn and northern Lane counties. Pate earned a Bachelor of Science in Accounting and Business Administration from Oregon State University on 1991.

Pate has developed strong and enduring relationships with the Oregon non-profit, corporate, and governmental sectors. She has also been active in building executive leadership in minority communities. During the past five years Pate served as a regular instructor for the Northwest Health Foundation's courses on developing business plans for non-profit organizations.

The County's Department of Human Services (DCHS) was created on January 31, 2002 from the merger of the Department of Aging and Disability Services and the Department of Community and Family Services. The Department includes the Office of Mental Health and Addiction Services, Aging and Disability Services Division, Developmental Disability Services, and Domestic Violence.

"I would also like to thank and acknowledge John Ball for stepping up and serving as Interim Director for the Department over the past year. I know the Department and the County are better from his expert service," added Linn. Ball will be returning full time to his role as the County's Chief Operating Officer.

The Board will hear the appointment resolution during their regular Board Meeting, Thursday, January 23, 2003 beginning at 9:30 AM.

###

501 SE Hawthorne Blvd., Suite 600, Portland, Oregon 97214  
Phone: (503) 988-3308, FAX: (503) 988-3093, E-Mail: [mult.chair@co.multnomah.or.us](mailto:mult.chair@co.multnomah.or.us)

## AGENDA PLACEMENT REQUEST

**BUD MOD #:**

**Board Clerk Use Only:**

**Meeting Date:** January 23, 2003

**Agenda Item #:** R-6

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

**Date Submitted:** 01-14/03

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**Requested Date:** 1/23/03

**Time Requested:** 45 minutes

**Department:** Non-Departmental

**Division:** Chair's Office

**Contact/s:** Duke Shepard

**Phone:** 503.988.5137

**Ext.:** 85137

**I/O Address:** 503/600

**Presenters:** Max Talbot (Gresham Community Development Director), Jeff Tashman (Urban renewal consultant for the City of Gresham- Tashman Johnson LLC), Andree Tremoulet (Gresham Principal Planner for Community Revitalization) and Deb Meihoff (Gresham Associate Planner/Rockwood). Duke Shepard, Chair's Office.

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**Agenda Title:** City of Gresham Proposed Rockwood Urban Renewal Area and Plan.

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

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

No action. Briefing only.

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

The Rockwood area of west Gresham was annexed by the City of Gresham in the mid 1980's. Over time, the area has seen increasing concentrations of poverty and crime, a decreasing tax base, and deterioration of property. Problems with violence, theft, and other crime incidences



have been well documented and continue to grow. There exist few opportunities for employment relative to available land and buildings, both commercial and industrial. Business in the area continues to deteriorate, as evidenced by the recent announcement by Fred Meyer that it will be closing its Rockwood store. In addition many housing structures are in poor condition and in need of repair or replacement.

In 1992 the community based Gresham 2020 Vision ranked Rockwood as a high priority, second only to the revitalization of downtown Gresham. In 1995, Gresham worked with Community members on the Central Rockwood Mixed Use Development Study, which recommended the area for future Urban Renewal. As a result of the study, the area was rezoned for a mix of commercial and residential uses, street plans were adopted, and future park opportunities were established. Citizen focused outreach activities by the City in 1997 (Citizen's First) resulted in the 1998 establishment of the Rockwood Action Plan Task Force. This community-based group led the development of the Rockwood Action Plan in 1998. The plan called for urban renewal as an effective tool for achieving a balanced mix of housing and business development, and redevelopment of infrastructure. In 2000 the Rockwood Action Plan Implementation Committee was formed from the prior task force to oversee the plan and established urban renewal as one of its top four priorities. In 2002, the City of Gresham established Rockwood/West Gresham Urban Renewal as the number one priority for the City.

*What is Urban renewal?*

Urban renewal is a locally controlled program utilizing tax increment financing for capital projects. Simply put, future local tax revenues pay for revitalization efforts, which in turn create more revenue. A local government establishes an urban renewal district, and capital projects and priorities within that boundary are identified within the boundary through an Urban Renewal Plan. The City then issues urban renewal bonds to pay for identified improvements. As property values increase in the area due to the new investment, the rise in property tax revenues (above the level of value at the time of adoption) called a "tax increment" is used to pay off the urban renewal bonds.

*What are the key features of the Rockwood Urban Renewal Plan?* As described above, the Rockwood plan comes as a result of over a decade of community planning efforts aimed at improving the Rockwood/West Gresham area. A key feature of the Rockwood Plan is the requirement of Citizen approval of any Urban Renewal Area. Any URA adopted for the Rockwood Area will be voted on by the citizens of Gresham. Gresham does not currently have any urban renewal areas.

The proposed URA has several assets. Rockwood perhaps unlike others URA's typically adopted in the Portland/Metro area, contains industrial land as well as a mix of commercial and residential, a light rail line, and access to freight rail and I-84. Most importantly, the area features a growing and increasingly diverse population.

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

There are no fiscal impacts to Multnomah County in the current or upcoming fiscal year. If adopted by the citizens of Gresham, tax values for collection by Multnomah County will be capped at a permanent rate of 4.3434 in the 2004-2005-budget year. The unrealized revenue from

value growth (the Tax Increment) within the proposed URA will be \$133,507 in 2004-2005, \$234,210 in 2005-2006.

Total unrealized/foregone revenues - tax increment – that will not be collected by Multnomah County but will instead be used for Urban Renewal during the term of the URA from 2004-2023 are projected to total \$9,869,084 (value in 2002 dollars). Current bonds and operating levies (such as the recently approved Library levy) are excluded from the effects of this proposed URA.

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

**Policy Issues:** In the past the Board has expressed disagreement with the City of Gresham over its ban on affordable housing. The Gresham City Council has repealed that ban. A key policy issue for urban renewal is typically the question of potential displacement of local residents, particularly low/moderate income residents, as a result of urban renewal. This was the experience locally and nationally in the 1960's and 70's.

In addition a key policy decision is the "trade-off" of unrealized/foregone revenues "Tax Increment" by Multnomah County. While not a net loss, this does represent unrealized potential revenue. However, a successful URA may result in reduced need for County services through the creation of higher quality affordable housing and family wage jobs. This may also produce greater assessed value and tax revenue at the end of the URA term than would otherwise have occurred.

**Legal Issues:** ORS Chapter 457 governs urban renewal. Specifically, ORS 457.085 establishes requirements for production and contents of urban renewal plans and establishes the threshold for local government approval of such a plan.

#### **457.085 Urban renewal plan requirements; accompanying report; contents; approval required.**

- (1) An urban renewal agency shall provide for public involvement in all stages in the development of an urban renewal plan.
- (2) An urban renewal plan proposed by an urban renewal agency shall include all of the following:
  - (a) A description of each urban renewal project to be undertaken.
  - (b) An outline for the development, redevelopment, improvements, land acquisition, demolition and removal of structures, clearance, rehabilitation or conservation of the urban renewal areas of the plan.
  - (c) A map and legal description of the urban renewal areas of the plan.
  - (d) An explanation of its relationship to definite local objectives regarding appropriate land uses and improved traffic, public transportation, public utilities, telecommunications utilities, recreational and community facilities and other public improvements.
  - (e) An indication of proposed land uses, maximum densities and building requirements for each urban renewal area.

- (f) A description of the methods to be used for the temporary or permanent relocation of persons living in, and businesses situated in, the urban renewal area of the plan.
- (g) An indication of which real property may be acquired and the anticipated disposition of said real property, whether by retention, resale, lease or other legal use, together with an estimated time schedule for such acquisition and disposition.
- (h) If the plan provides for a division of ad valorem taxes under ORS 457.420 to 457.460, the maximum amount of indebtedness that can be issued or incurred under the plan.
- (i) A description of what types of possible future amendments to the plan are substantial amendments and require the same notice, hearing and approval procedure required of the original plan under ORS 457.095 as provided in ORS 457.220, including but not limited to amendments:
  - (A) Adding land to the urban renewal area, except for an addition of land that totals not more than one percent of the existing area of the urban renewal area.
  - (B) Increasing the maximum amount of indebtedness that can be issued or incurred under the plan.
- (j) For a project which includes a public building, an explanation of how the building serves or benefits the urban renewal area.

- (3) An urban renewal plan shall be accompanied by a report which shall contain:
  - (a) A description of physical, social and economic conditions in the urban renewal areas of the plan and the expected impact, including the fiscal impact, of the plan in light of added services or increased population;
  - (b) Reasons for selection of each urban renewal area in the plan;
  - (c) The relationship between each project to be undertaken under the plan and the existing conditions in the urban renewal area;
  - (d) The estimated total cost of each project and the sources of moneys to pay such costs;
  - (e) The anticipated completion date for each project;
  - (f) The estimated amount of money required in each urban renewal area under ORS 457.420 to 457.460 and the anticipated year in which indebtedness will be retired or otherwise provided for under ORS 457.420 to 457.460;
  - (g) A financial analysis of the plan with sufficient information to determine feasibility;
  - (h) A fiscal impact statement that estimates the impact of the tax increment financing, both until and after the indebtedness is repaid, upon all entities levying taxes upon property in the urban renewal area; and
  - (i) A relocation report which shall include:
    - (A) An analysis of existing residents or businesses required to relocate permanently or temporarily as a result of agency actions under ORS 457.170;
    - (B) A description of the methods to be used for the temporary or permanent relocation of persons living in, and businesses situated in, the urban renewal area in accordance with ORS 281.045 to 281.105; and
    - (C) An enumeration, by cost range, of the existing housing units in the urban renewal areas of the plan to be destroyed or altered and new units to be added.
- (4) An urban renewal plan and accompanying report shall be forwarded to the planning commission of the municipality for recommendations, prior to presenting the plan to the governing body of the municipality for approval under ORS 457.095.

(5) An urban renewal plan and accompanying report shall be forwarded to the governing body of each taxing district affected by the urban renewal plan and the agency shall consult and confer with the taxing districts prior to presenting the plan to the governing body of the municipality for approval under ORS 457.095. Any written recommendations of the governing body of each taxing district shall be accepted, rejected or modified by the governing body of the municipality in adopting the plan.

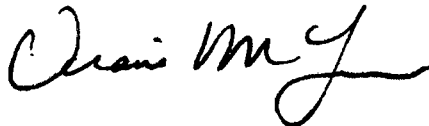
(6) No urban renewal plan shall be carried out until the plan has been approved by the governing body of each municipality pursuant to ORS 457.095 and 457.105. [1979 c.621 §2; 1983 c.544 §1; 1987 c.668 §1; 1987 c.447 §130; 1991 c.459 §332; 1997 c.541 §444]

**457.090** [Repealed by 1979 c.621 §28]

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

Extensive Public Involvement (described above) has driven the creation of this project. In addition, there has been extensive involvement by the City of Gresham. The Gresham City Council will consider this plan for adoption and referral to the voters.

**Required Signatures:**



**Department/Agency Director:**

**Date:** 01/14/03

**Budget Analyst**

**By:**

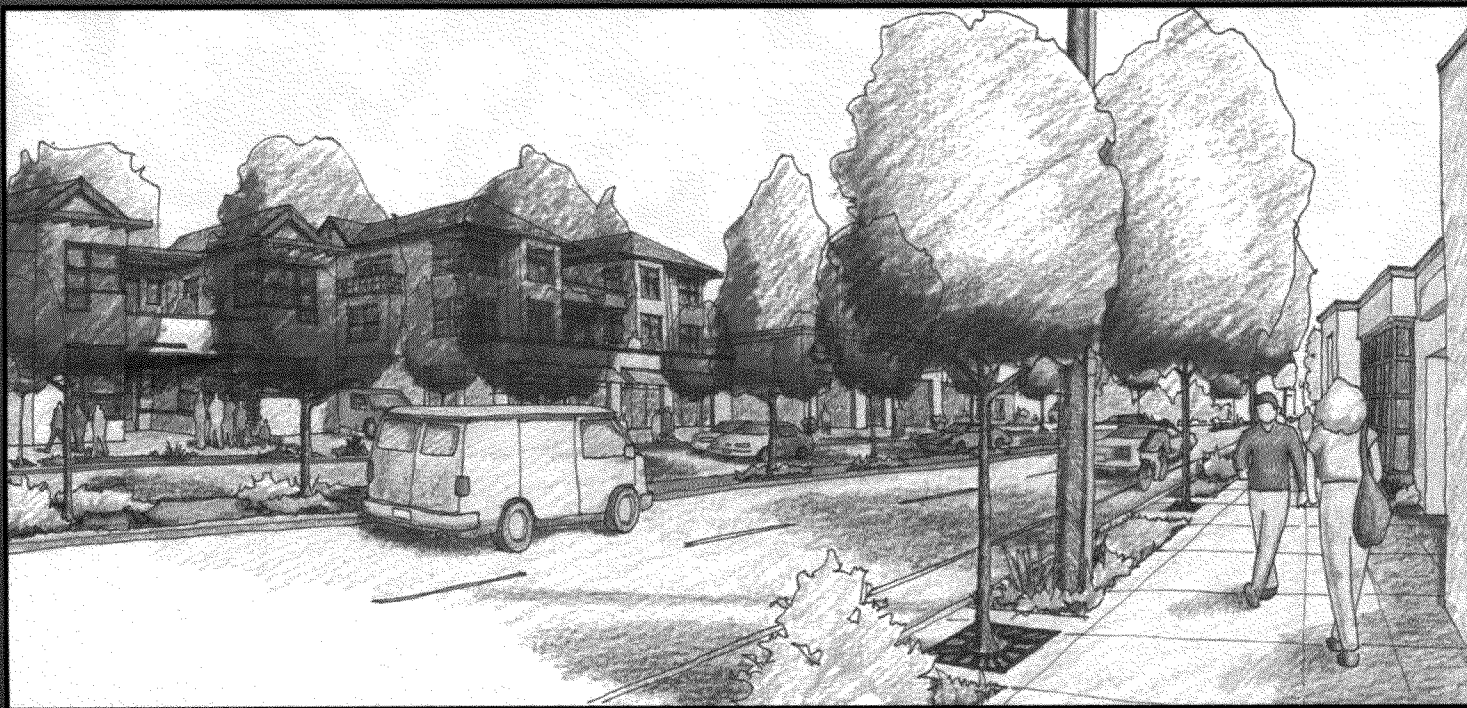
**Date:**

**Dept/Countywide HR**

**By:**

**Date:**

# Rockwood•West Gresham Renewal



The Key to Gresham's Future



# Rockwood•West Gresham Renewal

## The Rockwood Landscape

- Rockwood Action Plan
- City's Strategic Plan
- Rockwood's difficult times
- Urban Renewal is a top priority





# Rockwood•West Gresham Renewal

## Community Involvement



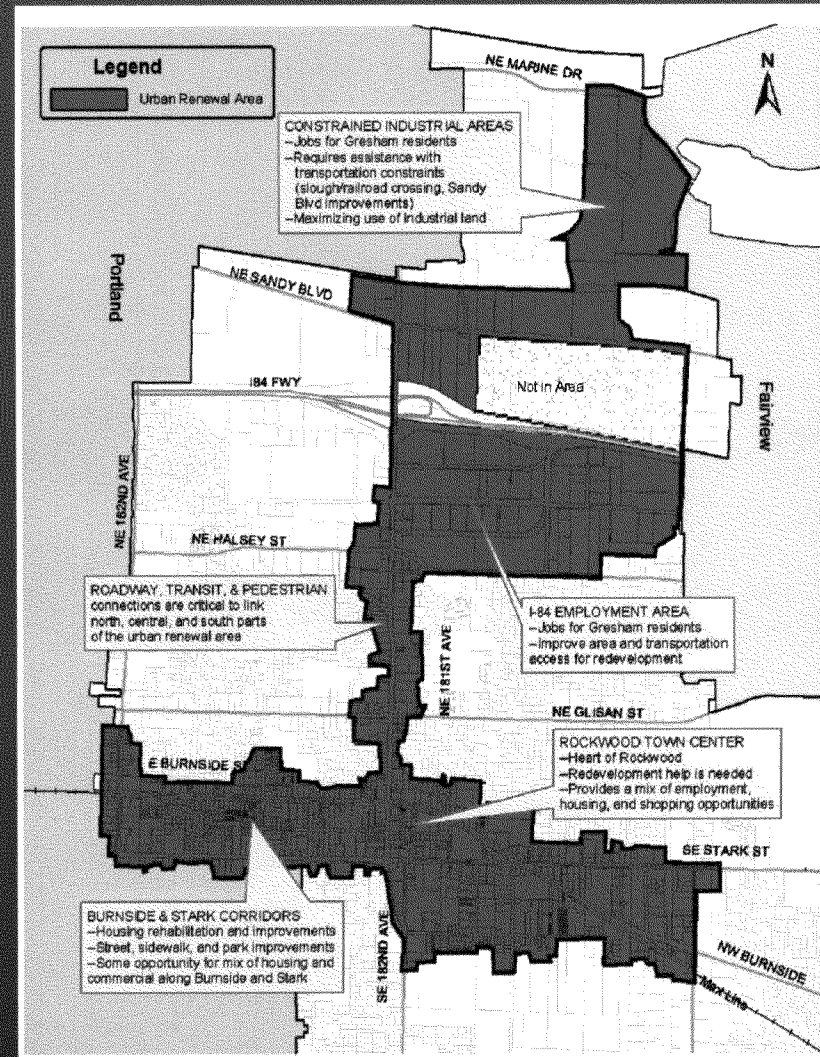
- Citizen initiated
- Steering committee
- Newsletters
- Surveys
- Speakers' Bureau
- MCTV, Farmer's Market, Youth Planning



# Rockwood•West Gresham Renewal

What is Rockwood-  
West Gresham  
Renewal?

- Job Creation
- Neighborhood Revitalization





# Rockwood•West Gresham Renewal

## Contents of the Plan

- Goals & objectives - framework
- Map of area
- Projects
- Maximum indebtedness of \$92-million over 20 years
- NO authority of eminent domain (condemnation)

## Report to the Plan

- Technical Appendix



# Rockwood•West Gresham Renewal

## Financial Details

- Projections of growth within renewal area are reasonable, not assuming development as dense as allowed by zoning or 100% build out.
- Bonds issued are projected to be completely paid off in FY 2022/23, the same year that the plan's authority to borrow funds or start new projects ends.
- Projected revenue impacts on taxing districts – including Multnomah County – are based on development that is projected to occur without the renewal plan in place.



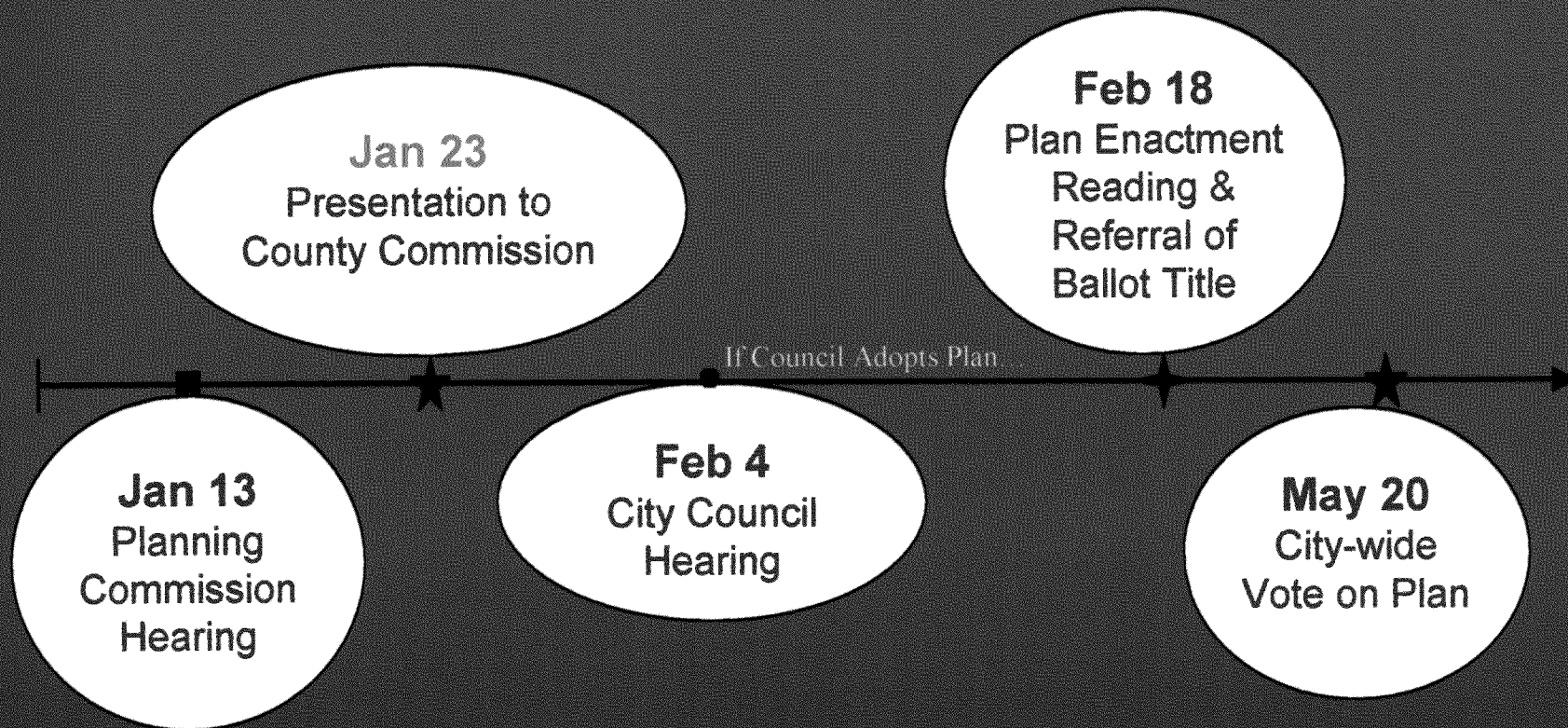
# Rockwood•West Gresham Renewal

## Financial Details continued...

- Added value from renewal plan will result in a pay back to all affected taxing districts within 15 years of the termination of the plan.
- Impacts are limited to permanent rate levy. New County local option levy for libraries and all future local option levies or bonds are not affected by urban renewal.



# Rockwood•West Gresham Renewal



2003 Timeline



# Rockwood•West Gresham Renewal



The Key to Gresham's Front Door

# AGENDA PLACEMENT REQUEST

Board Clerk Use Only:  
Meeting Date: January 23, 2003

Bud Mod #:

Agenda Item #: R-7A

Estimated Start Time: 10:30 AM

Date Submitted: 01/14/03

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Requested Date: 01/23/03

Time Requested: 15 minutes

Department: Non-Departmental

Division: Chair's Office

Contact/s: Michael Sorensen

Phone: 503 988-3663

Ext.: 27155

I/O Address: 106/14

Presenters: Lillian Shirley, Michael Sorensen

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**Agenda Title: Update on Access to Care environment and key strategies**

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

---

Please answer all relevant questions; leave others blank. Please do not alter form.

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

We are requesting an opportunity to update the board on the current health care environment, potential changes to OHP and their implications to Multnomah County.

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

Multnomah County, through its Health Department, has been a key provider of services to the low income and uninsured for many years. Our Strategic Direction and Policy on Access have been shared with the board but, in light of the current economic downturn and pending changes in the OHP, the board will need to have the proposed update as they make decisions that impact our current role.

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

At this time there is no fiscal impact.

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

This update will assist the Board as it makes policy and budget decisions in the future.

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

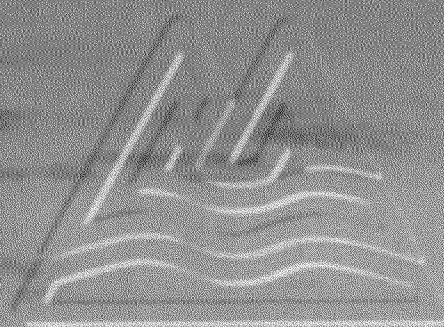
Internal and external constituents have assisted in the both the development of the update and the outlined strategies.

**Required Sign Off (NOTE: electronic check indicates approval)**

Department/Agency Director ☒ Diane Linn, Chair

Agenda Review Team ☐ By: (type name of approver) Date:





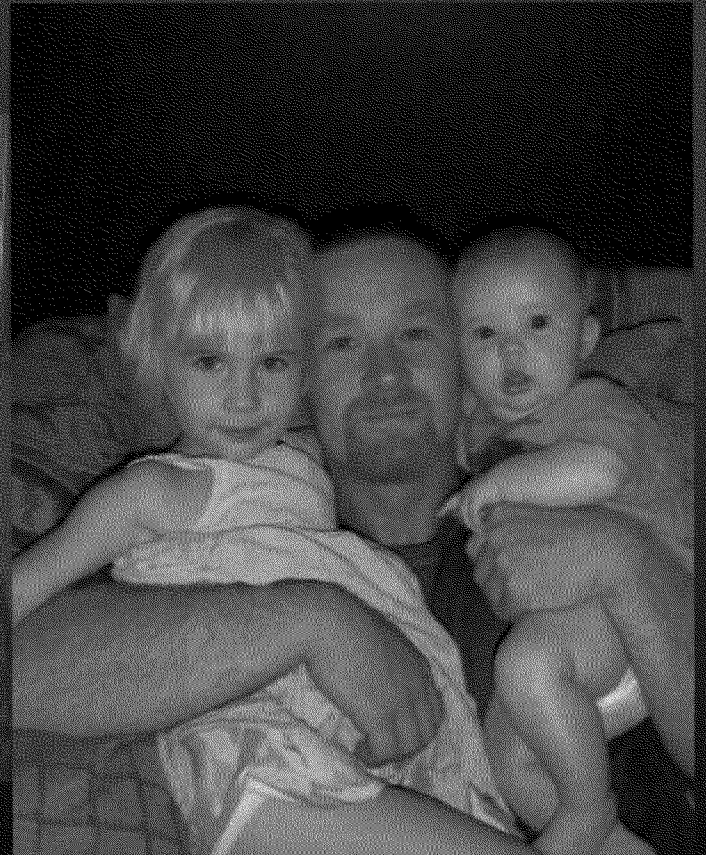
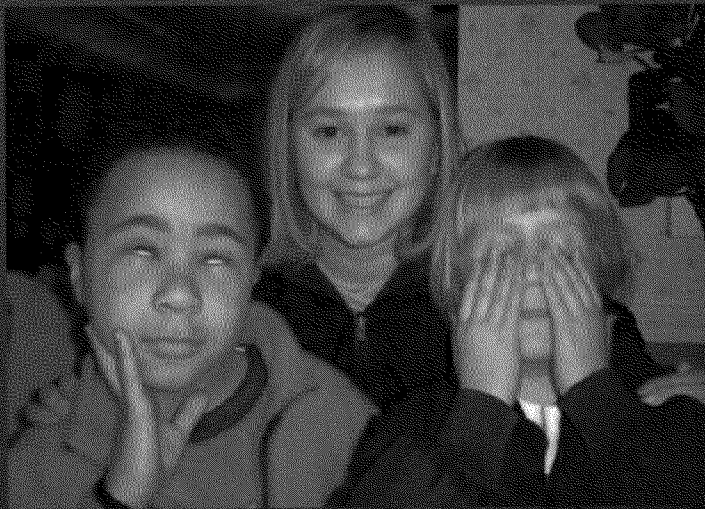
**Multnomah County  
Health Department  
Update on Communities in Charge and  
Access to Care Initiatives**

Lillian Shirley, RN, MPH, MPA

Director



# Access to Basic Primary Health Care Why are we concerned?





Because...

## We face a worsening crisis in health care access

- Population in need is expanding (1998-10%; 2000-17%\*)
- Oregon Health Plan is in crisis (66,000 in our region are “Open Card”\*\*)
- Health care safety net is overwhelmed
- Recent economic downturn is worsening all of the above

\* 2000 Oregon Population Survey; \*\* OMAP 09/2001



# Why is Access Important?

## Individual and Community Health Impacts

- The low-income uninsured are\*:
  - Less likely to get needed care
  - Three times more likely to have an avoidable hospitalization
  - More likely to miss work or school because of illness
  - More likely to experience bankruptcy due to medical care expenses

Papas et al 1998<sup>1998</sup>



# Uninsured in the Tri-County Area

## A Point in Time Estimate

Tri-County Residents  
1,444,000 (100.0%)

Insured Entire Year  
1,204,000 (83.4%)

Uninsured Any Part Year  
240,000 (16.6%)

Low Income Uninsured  
<200% FPL  
130,000 (9.0%)

Other Uninsured  
≥200% FPL  
110,000 (7.5%)

2000 Oregon Population Survey



## The Uninsured are....

- Disproportionately minorities
- Mostly between the ages of 19 and 45
- Most have at least a high school education
- Most are working
- May have been on the Oregon Health Plan in the past



MCHD is actively pursuing a part in addressing the issue of access by....

1. Implementing our access policy
2. Pursuing our stated goals under the Tri-County Communities in Charge effort



# 1. Implementing our access policy

- We Provide Care
- We work with Community Partners to enhance care
- We work to change the funding and delivery environment



# 1. Implementing our access policy-

## We provide Care

- We are the largest Safety Net Provider in Oregon
- We provided over 350,000 health care visits in 2001
- We are a major provider of health services to those on the Oregon health plan



# 1. Implementing our access policy-

We work with Community Partners to enhance care

- We support the Coalition of Community Health Clinics
- We are working on ways to better utilize federal tools for supporting the local safety net
- We work with community providers to maintain a high quality of service



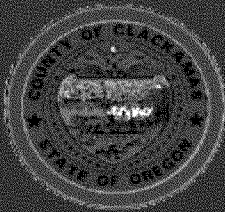
# 1. Implementing our access policy-

We work to change the funding and delivery environment

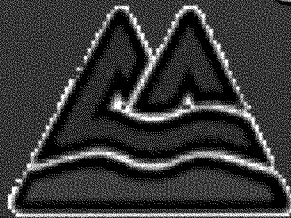
- Created local access to the Family Planning Expansion Project by contracting with safety net providers
- We are helping partners seek and obtain federal money and status for care
- We are working regionally under the Tri-County Communities In Charge Project.



## 2. Tri-County Communities in Charge



Clackamas



Multnomah



Washington

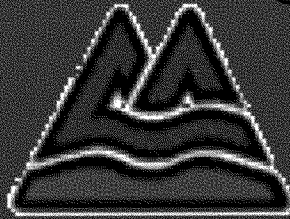
1. Safety Net Authority/Partnership
2. Uniform Charity Care Policies
3. Expanded Outreach for OHP



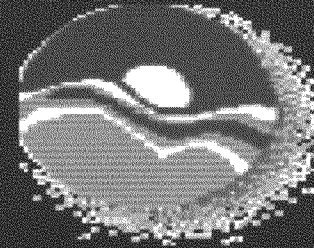
## 2. Tri-County Communities in Charge



Clackamas



Multnomah



Washington

## 1. Safety Net Authority/Partnership

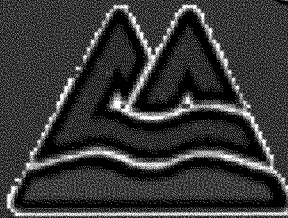
- Blue Ribbon panel's work is done
- Health Department leadership under IGA will craft the recommended structure
- Will be back for final board vote on final structure



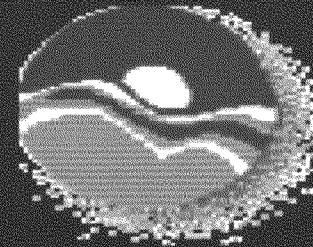
## 2. Tri-County Communities in Charge



Clackamas



Multnomah



Washington

## 2. Charity Care

- One regional policy in place
- One application is in place
- Ongoing monitoring is happening



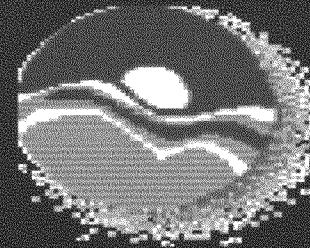
## 2. Tri-County Communities in Charge



Clackamas



Multnomah



Washington

## 3. Expanded Outreach for OHP

- Completed extensive research
- Completing a pilot project
- Monitoring for complications related to OHP changes



## Our requests today include...

1. We ask that you support the IGA before you today. It allows us to move on to step two in the process of developing the regional authority.
2. We ask that you allow us to keep you abreast of efforts both internal and external that affect access to care.

## Tri-County Communities in Charge

Current statistics indicate that gaps in coverage exist in the health insurance programs provided through the State of Oregon resulting on more than 240,000 low-income and uninsured people\*. As a three county, regional initiative, we operate from three core assumptions (1) every citizen in our communities has the right to access quality, affordable health care, (2) it is the role of local government to convene a process to develop mechanisms to assure that citizens have access to care, and (3) It is necessary to include representation from all stakeholder groups to address the problem of access effectively.

The Tri-County Communities in Charge initiative is the forum within which health care access for all within our region can be achieved. Our first year planning process revealed a strong community consensus around two themes that will serve as the foundation for our community's approach to care for the uninsured. The two themes are:

- Refine and restructure the safety net system to utilize existing resources with greater efficiency and effectiveness; and
- Increase access for defined populations and sub-populations through well-planned investment of resources for system expansion.

The Tri-County Communities in Charge initiative will emphasize processes to develop and implement a transition of the existing safety net into a well functioning integrated system of care for the uninsured. The three major components necessary to accomplish this include the following:

- A **Safety Net Authority\*** to organize and govern the safety net system (*In Process*)
- An **Outreach and Education Program** to promote of the safety net and other resources (*In Process*)
- A **Uniform Charity Care Policy** to be implemented by local hospitals (*Completed*)

### Why the Leaders of the Three Counties Participate

An executed Inter-Governmental Agreement between the three counties have committed each board to participate in a High level Leader discussion (a.k.a Blue Ribbon Panel) to discuss and develop a set of recommendations for the development of a regional body with the charge to assure access to quality medical care (a.k.a. Health Care Safety Net Authority). Points for the Chairs of each board to consider include:

- Each **Board contracted to convene and participate in the discussion** for development through IGA. The series of proposed discussions were supported by the health department staff of each county. A recommendation was received in April 2002.
- The structural options for the Health Care Safety Net Authority that were discussed were **all high quality choices**.
- A **regional approach** to access and funding will span the political and economic gaps in county service provision. It allows government to act more appropriate to the needs and behavior of the community.
- Access to care requires the **ability to finance health services**. The work done to date informed the process with current funding strategies and potential new sources. Finances were calculated into the structural choices and will be a part of the panel discussion.
- Final outcome of the work will result in equitable **access to care for all low-income** and uninsured people across the region.
- There is a **high level of interest among the elected and community leadership for this work**, as well as interest on the part of **all the area's hospitals and Health Systems**.

The IGA to be voted on during the Multnomah County Board Meeting on January 23, 2003 is step two in the HCSNA's development. These steps are:

**Step 1-** The work and recommendation of the **Blue Ribbon Panel**.

**Step 2-** A process to **implement the recommendation**. Department directors create definition of authority, expected participation, Articles of Incorporation, initial work plan and etc. for Board approval.

**Step 3-** **Board considers the Tri-County Health Department Director's recommendation** for deploying the HCSNA and votes





## OHP UPDATE – January 14, 2003

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**What we know for Sure:** A series of legislative actions will lead to significant changes in the Oregon Health Plan (OHP). Changes will roll out between January and March 2003:

- A two tiered benefit packages for OHP
  1. **OHP Plus will generally include the current range of services**
  2. **OHP Standard (110,000 of 430,000 OHP clients)**
    - No Adult Dental; no outpatient Mental Health; no medical supplies; no Vision; no outpatient chemical dependency (*severe financial impact on county, particularly with loss of dental; severe clinical impact with loss of community mental health and chemical dependency*)
- The line will change (from 566 to 558) – *minimal impact on County clinics*
- Pregnant women and children (<19) now eligible – *positive impact as some currently uninsured clients receive coverage*
- More stringent financial conditions – penalties for non-payment, six month non-insured status required – *possible severe impacts on County services as growing numbers of disenfranchised residents seek care at County clinics*
- “Time of visit” co-pays instituted for all enrollees – *minimal financial impact for County, increased stigmatization of patients, administrative burden*

**What’s now on the table** with the 2003-05 legislative process, January income tax surcharge, etc.:

- Changes in categorical eligibility – re-draw the line between OHP Plus and Standard (*some financial impacts due to more people subject to penalties, co-pays*)
- Reduce provider reimbursement (*minimal financial impact; moderate clinical impact due to difficulty in making referrals*)
- Loss of retro-eligibility based on date of request vs. first of next month (*possible severe impact as County clinics tend to be a point of entry into Medicaid, loss of billable visits*)
- The line continues to drop (to line 524) (*possible severe impact with loss of major services, including outpatient pharmacy*)

**What’s possible:**

- The State may abandon all or part of the waiver that enables the OHP
- The State may revert to a ‘traditional’ Medicaid plan

**Multnomah County Health Department – Access Strategies**  
**January 23, 2003**

<b>Activity</b>	<b>Desired Outcome</b>	<b>Current Status</b>
<b>1. Activities related to Providing Care</b>		
Primary Care Expansion	Increase service capacity within existing county clinics. Maximizing benefits of Medicaid and BPHC funding, add five medical teams (two dedicated to the uninsured)	BPHC expanded capacity grant awarded; Primary Care Division adding four additional medical teams out of Medicaid revenues
<b>2. Activities related to working with Community Partners to enhance community-wide service capacity</b>		
Expansion of FQHC benefit to partners	Facilitate partners in gaining FQHC status; convert resources now subsidizing Medicaid/care to health care for uninsured; gain BPHC funding for the community;	Working with consultants to determine how this can occur.
Latino Access Clinic	Increased clinical access for Latinos living in the County; develop local leadership for Latino health issues	Site secured from PHS; operating and community building planning now starting; BPHC grant application missed 12/02 cycle, now targeting 2/03
Yakima Valley Farmworker's Clinic	Increased access for uninsured / underserved county residents	YVFW has notified Multnomah of its desire to move into Portland; MCHD and YVFW exploring collaborative options, including siting
Beaverton Primary Care Access Project	Opening of a primary care clinic in Beaverton, improved access for uninsured in Washington County and reduced pressure on Multnomah Clinics	County serving to catalyze a multi-agency partnership – city of Beaverton, CareOregon, Garcia Clinic, Providence.

**Multnomah County Health Department – Access Strategies**  
**January 23, 2003**

<b>Activity</b>	<b>Desired Outcome</b>	<b>Current Status</b>
<b>3. Activities related to improving the health care funding and service delivery environment</b>		
Communities in Charge	Establish a mechanism across the Tri-County region to ensure the availability of efficient, effective health care for medically uninsured and underserved residents	Blue Ribbon Panel process completed in May 2002. Three Counties not preparing to gain approval of an IGA binding the three counties together in a process to produce a recommended operating structure
FQHC Maintenance	Assure continued State support of FQHC as a reimbursement system, and as a vital part of the State Medicaid plan in Oregon. Assure advantageous implementation of PPS	FQHC reimbursement fully protected for 2002-03 biennium; State has requested no additional County support; County caused the creation of a State/FQHC liaison function to surface and resolve problems
FQHC Collaborative	FQHC's across the State (exc. MCHD) make contributions to an access development fund to enable communities to overcome barriers to expanded access	In negotiation with FQHCs benefiting from the FQHC enhanced payment initiative
FQHC Enhanced Payments	Using Multnomah County resources to leverage additional FFP, retrospectively improve for Oregon FQHCs	Enhanced Payments for July 1996 – Dec 1999 completed. IGA's allowing for calendar 2000 on BCC agenda. This will be the last retroactive payment. Net gain after 2000: Multnomah, \$20m, other FQHC's across the State, \$15m
Family Planning Expansion Project	Using the power of the county, designate appropriate non-profit providers in providing Family Planning services and thereby strengthens the "bottom line" of these organizations.	In Multnomah County, MCHD provides and has sub-contracted for these services.
Oregon Community Health Information Network (OCHIN)	Develop a efficient, effective, common platform to resolve infrastructure needs for a wide range of Oregon safety net clinics	EPIC purchased and installed at six separate health centers. MCHD go live March 2003. EMR selection process started. OCHIN now exploring spin off from CareOregon
Safety Net Committee	Development of a common statewide safety net legislative platform	Committee formed under J. Duke, Outside In. Limited progress.
State Access Initiative	Gain CMS approval for a primary care / limited benefit Medicaid plan amendment	In development at the State; county serving as technical advisors

Bud Mod #:

Agenda Item #: R-7B

Estimated Start Time: 10:45 AM

Date Submitted: 01/14/03

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Requested Date: 01/23/03

Time Requested: 15 minutes

Department: Non-Departmental

Division: Chair's Office

Contact/s: Michael Sorensen

Phone: 503 988-3663

Ext.: 27155

I/O Address: 106/14

Presenters: Lillian Shirley, Michael Sorensen

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**Agenda Title: Tri-County Communities in Charge, Intergovernmental Cooperative Agreement for the Development of a Health Care Safety Net Authority**

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

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**Please answer all relevant questions; leave others blank. Please do not alter form.**

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

We are requesting approval of an Intergovernmental Agreement in order to complete the process of developing a Tri-County Health Care Safety Net Authority. The Authority's final structure will come back to the board for final consideration.

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

In December 2001, the Boards of Commissioners of Clackamas, Multnomah and Washington counties (Oregon) appointed a Blue Ribbon Panel to develop a policy level recommendation to improve health care access for the low income and uninsured. The 38-member panel, made up of business people, advocates, consumers, health system representatives, health care providers and elected officials met five times over a six-month period to consider the issue in an open forum.

The culmination of the panel's meetings was a recommendation that the issue be approached from a regional perspective and through a structure called a Health Care Safety Net Authority. This authority, lead by government through intergovernmental agreement, will allow for all concerned to impact the direction, finance and activities of the assurance process.

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

At this time there is no fiscal impact as the project.

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

This process will allow for all defined health care safety net providers in the tri-county region to participate in planning, financing and providing quality safety net health care. To develop the regional model, ORS 190 will be invoked in order to create the final structure. We will be consulting with legal expertise under the direction of County Counsel.

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

The development of this recommendation was made by a panel of 38 high level community leaders from elected government, business, consumer, advocate, and medical provider constituents.

**Required Sign Off (NOTE: electronic check indicates approval)**

**Department/Agency Director ☒ Diane Linn, Chair**

**Agenda Review Team ☐ By: (type name of approver) Date:**

# MULTNOMAH COUNTY CONTRACT APPROVAL FORM

(See Administrative Procedure CON-1)

Contract #: 0310429

Amendment #:

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

CLASS I	CLASS II	CLASS III
<input type="checkbox"/> Professional Services not to exceed \$50,000 (and not awarded by RFP or Exemption) <input type="checkbox"/> Revenue not to exceed \$50,000 (and not awarded by RFP or Exemption) <input checked="" type="checkbox"/> Intergovernmental Agreement (IGA) not to exceed \$50,000 <input checked="" type="checkbox"/> Expenditure <input type="checkbox"/> Revenue <input type="checkbox"/> Architectural & Engineering not to exceed \$10,000 (for tracking purposes only)	<input type="checkbox"/> Professional Services that exceed \$50,000 or awarded by RFP or Exemption (regardless of amount) <input type="checkbox"/> PCRB Contract <input type="checkbox"/> Maintenance Agreement <input type="checkbox"/> Licensing Agreement <input type="checkbox"/> Construction <input type="checkbox"/> Grant <input type="checkbox"/> Revenue that exceeds \$50,000 or awarded by RFP or Exemption (regardless of amount)	<input type="checkbox"/> Intergovernmental Agreement (IGA) that exceeds \$50,000 <input type="checkbox"/> Expenditure <input type="checkbox"/> Revenue  <p align="center"><b>APPROVED MULTNOMAH COUNTY BOARD OF COMMISSIONERS</b>                      AGENDA # <u>R-7</u> DATE <u>01-23-03</u>                      DEB BOGSTAD, BOARD CLERK</p>

Department: Health Department

Division: Regulatory Health

Date: 01/14/03

Originator: Michael Sorensen

Phone: X27155

Bldg/Rm: 106/14

Contact: LaRisha Baker

Phone: X27499

Bldg/Rm: 106/14

Description of Contract: The IGA confirms our participation in the development and deployment of a regional health care entity that will act in a way that assures access to health care services.

RENEWAL: ☐ PREVIOUS CONTRACT NO(S): 4600001745

RFP/BID: RFP/BID DATE:

EXEMPTION NO/DATE: EXEMPTION EXPIRATION DATE: ORS/AR #:

CONTRACTOR IS: ☐ MBE ☐ WBE ☐ ESB ☐ QRF ☒ N/A ☐ NONE (Check all boxes that apply)

Contractor <u>Clackamas &amp; Washington County - Human Resource</u>	Marina Stansell, Director
Address <u>821 Main St</u>	Remittance address
<u>Oregon City, OR 97045</u>	(If different)
Phone <u>(503) 655-8478</u>	Payment Schedule / Terms
Employer ID# or SS# <u>n/a</u>	<input type="checkbox"/> Lump Sum \$ <input type="checkbox"/> Due on Receipt
Effective Date <u>February 1, 2003</u>	<input type="checkbox"/> Monthly \$ <input type="checkbox"/> Net 30
Termination Date <u>December 31, 2003</u>	<input type="checkbox"/> Other \$ <input type="checkbox"/> Other
Original Contract Amount \$ <u>0</u>	
Total Amt of Previous Amendments \$ <u>n/a</u>	<input type="checkbox"/> Requirements Not to Exceed \$
Amount of Amendment \$ <u>n/a</u>	
Total Amount of Agreement \$ <u>0</u>	Encumber <input type="checkbox"/> Yes <input type="checkbox"/> No

## REQUIRED SIGNATURES:

Department Manager

*Lillian Shirley*

DATE

1/16/03

Purchasing Manager

(Class II Contracts Only)

*Kati Gough*

DATE

1/15/03

County Attorney

County Chair

*Osani*

DATE

1-23-03

Sheriff

DATE

Contract Administration

(Class I, Class II Contracts only)

DATE

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

Rev. 2/12/98 DIST: Original - Contract Administration, Contractor, HD Contracts Unit; CC.- HD Program Manager, Finance, HD Payables/Receivables

## **INTERGOVERNMENTAL COOPERATION AGREEMENT TRI-COUNTY HEALTH CARE PARTNERSHIP**

THIS AGREEMENT, made and entered into the below set forth date by and among the undersigned counties, Clackamas, Multnomah, and Washington, counties formed under the laws of the State of Oregon, (all parties hereafter referred to as "Member(s)"). This Agreement is made pursuant to ORS 190.003 to ORS 190.110, the general laws and constitution of the State of Oregon, and the laws and charters of the Members.

**SECTION 1. GENERAL PURPOSE OF AGREEMENT.** Pursuant to the authority set forth in ORS 190.03 through ORS 190.110, Members agree to join in achieving a common vision – low income uninsured people living in the Tri-County area will have access to necessary health care when they need it.

- A. To realize that vision, Members agree to move to a regional system of arranging care for this population. The regional system will include the following four characteristics:
1. Adequate clinical capacity to meet the needs of the Tri-County region's low income and uninsured population.
  2. Adequate, sustainable financial resources.
  3. Health care consistent with community standards for quality.
  4. Deployment and management of resources to support useful demographic, utilization, and need data.

**SECTION 2. ASSOCIATION.** The association structured by this Agreement shall be referred to as the Tri-County Health Care Partnership (herein "Partnership"). The Members agree to carry out the specific purposes set forth in this Agreement.

**SECTION 3. PURPOSE OF THE PARTNERSHIP.** The Partnership shall have the following purposes and shall conduct the following activities:

- A. To conduct a process that leads to the establishment of an enduring Tri-County safety net, herein the "enterprise". Tasks will include, but not be limited to, the following:
1. Determine the optimum governance structure of the "enterprise", including developing by-laws.
  2. Define how the "enterprise" should relate to the range of health care services provided in the Tri-County area.
  3. Build incentives for private partners to participate in the "enterprise".
  4. Inform and gain approval of the three county boards.
  5. Report periodically to key stakeholders.
  6. Identify and take advantage of intermediate local opportunities.
  7. Identify and take advantage of state and federal initiatives.



B. Members agree that this undertaking, in scope and complexity, is yet to be defined. In working towards a definition, however, a reference word is needed to articulate what the partnership is striving towards. To that end, the word "enterprise" will be used. The "enterprise" is characterized by the following attributes:

1. The "enterprise" will be enduring, the product of a long term commitment by each of the three counties.
2. The "enterprise" will possess sufficient administrative capacity to manage its affairs and dedicate sufficient staff resources to complete its charges.
3. The "enterprise" will be accountable for achieving assigned objectives
4. The "enterprise" will have sufficient organizational presence to develop formal relationships with partner organizations and funders.
5. While ultimately accountable to the three County Commissions, the "enterprise" within stated policy direction will operate with some autonomy.
6. The system will include full and voluntary involvement of community partners, hospitals, and health systems.

#### **SECTION 4. DEFINITIONS APPLICABLE TO THIS AGREEMENT.**

- A. "Tri-County" or "Tri-County Area" means within the legal boundaries of Clackamas, Multnomah, and Washington Counties.
- B. "Low Income Uninsured" means people whose household income is not more than 250% of the prevailing Federal Poverty Guidelines, and who do not have commercial or public health care benefits, who have incomplete benefits, or are unable to access necessary services even if they possess benefits.
- C. "Health Care Safety Net" means those public and private health care providers, community partners, hospitals and health systems serving the low income uninsured in the tri-county area.
- D. "Enterprise" means an organization designed and developed specifically for the provision of a structured process and collaborative means to a strategic, sustainable system to meet the common vision of access to necessary health care for the low income uninsured people living in the Tri-County area.
- E. "Community Partners" means people and organizations, which are not hospitals or health systems, which receive, support, provide, or advocate for health care for low income uninsured people living in the tri-county area. Community partners include, but are not limited to private, non-profit, and voluntary providers, consumers, advocacy organizations, related State Agencies, unions, faith and business communities, cities, managed care organizations which do not provide direct care, and insurance companies.

- F. "Hospital or Health System" means organizations which provide inpatient, outpatient, ambulatory, and emergency medical care through a hospital located in the Tri-County Area.

## **SECTION 5. POWERS.**

All powers of the Partnership, except as specifically designated in this Agreement, shall be exercised jointly by each Member's Board of Commissioners (collectively referred to as "Board"). All Board decisions provided for in this agreement must be unanimous. In the context of this Agreement, unanimous means majority approval by each Member's Board.

## **SECTION 6. PARTNERSHIP WORKGROUP.**

- A. Purpose. In order to fulfill the purposes set forth in this Partnership Agreement, there will be a Partnership Workgroup, which shall establish the schedules, timelines and reporting structure.
- B. Appointment. Each Member shall appoint one representative, and may select one alternative representative who may attend and participate, as provided herein, in all Workgroup meetings in the absence of the Member's primary representative. Representatives and alternates shall be an employee of each Member's respective jurisdiction. (i.e. Public Health Director or designee)
- C. Term of Office and Succession. Members of the Workgroup shall be appointed to serve until a successor is appointed and assumes that person's responsibilities. Each Workgroup member shall serve at the pleasure of the County Board of Commissioners which appointed him or her. In the event of a vacancy, the alternate member shall serve as the primary. A vacancy on the Workgroup shall be filled by the County Board of Commissioners of the Member whose position is vacant.
- D. Methods and Approach. In conducting its work, the Workgroup will be inclusive of both public and private stakeholders and partners in assuring access for the uninsured and underserved in the community.
- E. Approval of Actions by the Workgroup. All decisions of the Workgroup must be made at a meeting attended by all three parties.

## **SECTION 7. TERM, DISSOLUTION, AND WITHDRAWAL.**

- A. Term. This Agreement shall be effective upon signature by all Members. The term of this Agreement shall be one year effective from the date of signature.
- B. Dissolution. The Partnership may be dissolved by mutual agreement of all of the Members.

- C. Withdrawal. Within the first six months, any Member may withdraw from this Agreement and participation in the Partnership upon providing 90 days' written notice to the Chair of each other Member's Board of Commissioners. Within the second six months, any Member may withdraw from this Agreement and participation in the Partnership upon providing 30 days written notice to the Chair of each other Member's Board of Commissioners.

**SECTION 8. DISPUTE RESOLUTION**. The parties shall use their best, good faith efforts to cooperatively resolve disputes and problems that arise in connection with this Agreement. When a dispute arises each party will attempt to resolve the dispute pursuant to this section and will continue without delay to carry out all their respective responsibilities under this Agreement. If the parties are unable to resolve the dispute within 60 days, the parties shall attempt, with a professional mediator, to reach a mediated resolution of the conflict. Such mediation shall commence within 30 days of either party's request therefor. If such mediation is not commenced within such 30 days or is unsuccessful within 30 days of the commencement of mediation, then either party may pursue its available legal and equitable remedies.

**SECTION 9. GENERAL TERMS**.

- A. Severability. The terms of this Agreement are severable and a determination by an appropriate body having jurisdiction over the subject matter of this Agreement that results in the invalidity of any part shall not affect the remainder of the Agreement.
- B. Interpretation. The terms and provisions of this Agreement shall be liberally construed in accordance with the general purposes of this Agreement. Nothing in this Agreement shall be construed to limit the right of any parties to pursue an independent course of action for the same purposes.
- C. Effective Date. This Agreement shall become effective when it has been signed by each Chairperson of the County Board of Commissioners of Clackamas, Multnomah, and Washington Counties.
- D. Amendments. The terms of this Agreement shall not be amended without the written authorization of the County Boards of Commissioners of Clackamas, Multnomah, and Washington Counties.
- E. No Benefits. No party or its employees shall be entitled to participate in a pension plan, insurance, bonus, or similar benefits provided by any other party.
- F. Liability and Indemnification. Notwithstanding that actions by some or all of the parties to this Agreement may be undertaken on behalf of the others, each party agrees to be responsible for the consequences of any wrongful acts of the party's employee as they affect any other party or a person not a party to this Agreement. Subject to the limitations of liability for public bodies set forth in the Oregon Tort Claims Act, ORS 30.260 to 30.300, and the Oregon Constitution, each party agrees to indemnify the other parties and each of them, and hold each and all harmless from

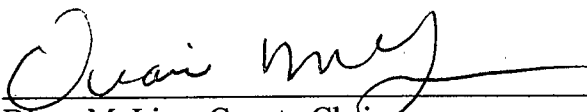
any and all claims, actions or suits arising out of a wrongful act of the first party's employee done in the course and scope of this Agreement.

- G. Notice. Each party shall give the others immediate, written notice of any action or suit filed or any claim made against that party, which may result in litigation in any way, related to this Agreement.
- H. Insurance. Each party agrees to maintain insurance levels, or self-insurance in accordance with ORS 30.282, for the duration of this Agreement at levels necessary to protect against public body liability as specified in ORS 30.270.
- I. Compliance with Laws. Each party agrees to comply with all local, state and federal ordinances, statutes, laws and regulations that are applicable to the services and activities provided under this Agreement.
- J. Debt Limitation. This Agreement is expressly subject to the debt limitation of Oregon Counties set forth in Article XI, Section 10 of the Oregon Constitution, and is contingent upon funds being appropriated therefor.
- K. Integration. This writing is intended both as the final expression of the Agreement between the parties with respect to the included terms and as a complete and exclusive statement of the terms of the Agreement.

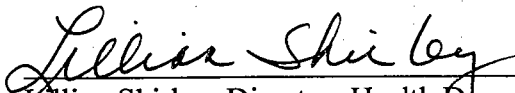
WHEREAS, all the aforementioned is hereby agreed upon by the parties and executed by the duly authorized signatures below.

#### Multnomah County Approval and Review

Approved:

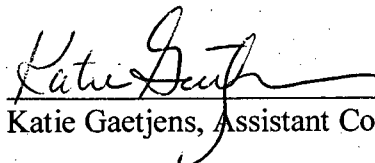
  
Diane M. Linn, County Chair

1.23.03  
Date

  
Lillian Shirley, Director, Health Department

1/15/03  
Date

Reviewed:

  
Katie Gaetjens, Assistant County Attorney

1/14/03  
Date

APPROVED MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # R-7 DATE 01.23.03  
DEB BOGSTAD, BOARD CLERK

### **Washington County Approval and Review**

Approved:

_____ Tom Brian, County Chair, or Designee	_____ Date
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_____ Susan Irwin, Director, Department of Health and Human Services or Designee	_____ Date
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Reviewed:

_____ Dan Olsen, COUNTY COUNSEL, or Designee	_____ Date
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### **Clackamas County Approval and Review**

Approved:

_____ Larry Sowa, County Chair, or Designee	_____ Date
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_____ Irene Fischer-Davidson, Director, Department of Human Services or Designee	_____ Date
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Reviewed:

_____ Dave Anderson, COUNTY COUNSEL or designee	_____ Date
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# AGENDA PLACEMENT REQUEST

**BUD MOD #:**

**Board Clerk Use Only:**

**Meeting Date:** January 23, 2003

**Agenda Item #:** R-8

**Est. Start Time:** 11:00 AM

**Date Submitted:** 01/15/03

**Requested Date:** January 23, 2003

**Time Requested:** 15-30 minutes

**Department:** Non-Departmental

**Division:** Commission District 4

**Contact/s:** Heather Schraeder

**Phone:** 503 988-5213

**Ext.:** 85213

**I/O Address:** 503/600

**Presenters:** Commissioner Lonnie Roberts; Pavel Yuzko, Chair, Slavic Coalition of Oregon/IRCO; Victoria Libov, Manager, MSW Employment and Training Services - IRCO; Andrey Tkachenko, Co-Chair, Slavic Coalition of Oregon/IRCO; and Anne Valsamakis, Girls Initiative Network.

**Agenda Title:** Slavic Coalition Update

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

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

No action requested. Board briefing only.

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

This briefing is intended to keep the Board informed of matters of potential interest or impact to Multnomah County.

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

No fiscal impact.

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

**If a budget modification, explain:**

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

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

**If a contingency request, explain:**

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

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

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

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

No legal or policy issues are expected during this briefing.

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

**Required Signatures:**

**Department/Agency Director:**

*Lonnie Roberts*

**Date: 01/15/03**



# AGENDA PLACEMENT REQUEST

BUD MOD #:

**Board Clerk Use Only:**

**Meeting Date:** January 23, 2003

**Agenda Item #:** R-9

**Est. Start Time:** 11:15 AM

**Date Submitted:** 01/15/03

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**Requested Date:** January 23, 2003

**Time Requested:** 15-30 minutes

**Department:** Non-Departmental

**Division:** Public Affairs Office

**Contact/s:** Barb Disciascio

**Phone:** 503 988-6800

**Ext.:** 86800

**I/O Address:** 503/600/PAO

**Presenters:** Gina Mattioda and Stephanie Soden

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**Agenda Title:** IF NEEDED 2003 Legislative Briefing Update

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

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

No action requested. Board briefing only.

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

During the legislative session, the Public Affairs Office provides regularly scheduled updates to the Board of County Commissioners in the form of Board Briefings. These briefings are intended to keep the Board informed of legislative activities of potential interest or impact to Multnomah County, and for the Public Affairs Office to obtain direction from the Board.

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

No fiscal impact.

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

**If a budget modification, explain:**

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

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

**If a contingency request, explain:**

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

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

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

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

No legal or policy issues are expected during regularly scheduled monthly briefings.

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

N/A

**Required Signatures:**

**Department/Agency Director:**

*Gina Mattioda*

**Date: 01-13-03**



# Capitol News

A source of legislative information for Multnomah County  
by the Public Affairs Office



**January 2003**

## **Legislature convenes**

On January 13, 2003, the Oregon Legislature convened for the 72<sup>nd</sup> legislative session. Oregon's new Governor, Ted Kulongoski, was also sworn into office, as was the new Speaker of the House, Representative Karen Minnis (R-Wood Village).

Several days later, the Oregon Senate decided on a new leadership structure, electing Senator Peter Courtney (D-Salem) Senate President and Senator Lenn Hannon (R-Ashland) President Pro Tempore. Leadership in the Senate was more difficult to decide because of the even split between Democrats and Republicans (15-15). The Senate also selected Kate Brown (D-Portland) as Senate Democratic Leader and Bev Clarno (R-Redmond) as Senate Republican Leader. Members of the House of Representatives selected Deborah Kafoury (D-Portland) as the House Democratic Leader and Tim Knopp (R-Bend) as the House Republican Leader.

## **Legislative committees**

Legislators representing the Multnomah County region reside on many legislative committees, in addition to holding legislative leadership positions. The following list highlights Multnomah County legislators' committee leadership assignments.

## **House Committees**

- House Audit & Human Services Budget Reform Vice-Chair Steve March (D-Portland)
- House Business, Labor & Consumer Affairs Vice-Chair Diane Rosenbaum (D-Portland)
- House Health & Human Services Vice-Chair Carolyn Tomei (D-Milwaukie/SE Portland)
- House Judiciary Chair Max Williams (R-Tigard/SW Portland)
- House PERS Vice-Chair Deborah Kafoury (D-Portland)
- House Rules & Public Affairs Vice-Chair Laurie Monnes Anderson (D-Gresham)
- House Rules & Public Affairs Vice-Chair Linda Flores (R-Clackamas)
- House Trade & Economic Development Chair Patti Smith (R-Corbett)
- House Water Vice-Chair Jackie Dingfelder (D-Portland)

## **Senate Committees**

- Senate Agriculture & Natural Resources Chair – Frank Shields (D-Portland)
- Senate General Government Vice-Chair John Minnis (R-Wood Village)
- Senate Judiciary Chair John Minnis (R-Wood Village)
- Senate Judiciary Vice-Chair Ginny Burdick (D-Portland)
- Senate Revenue Chair Ryan Deckert (D-Portland)

January 2003

- Senate Rules Co-Chair Kate Brown (D-Portland)
- Senate Transportation and Economic Development Chair Rick Metsger (D-Welches)
- Senate Water & Land Use Vice-Chair Charlie Ringo (Beaverton/SW/NW Portland)

### **Ways & Means Committees**

The Ways & Means Committee is the budget-writing committee in the Legislature. The Multnomah County legislators who have been assigned to the full committee and subcommittees are listed below.

#### **Full Ways & Means Committee:**

- Senator Margaret Carter (D-Portland)
- Senator Richard Devlin (D-Wilsonville)
- Senator Joan Dukes (D-Astoria)
- Senator Avel Gordly (D-Portland)
- Representative Gary Hansen (D-Portland)

#### **Subcommittee on Human Services:**

- Senator Margaret Carter (D-Portland)
- Senator Avel Gordly (D-Portland)
- Senator Frank Shields – Ex Officio (D-Portland)

#### **Subcommittee on Natural Resources:**

- Senator Joan Dukes (D-Astoria)

#### **Subcommittee on Public Safety:**

- Senator Richard Devlin (D-Wilsonville)
- Representative Gary Hansen (D-Portland)

#### **Subcommittee on Transportation & Economic Development:**

- Senator Margaret Carter (D-Portland)
- Senator Joan Dukes (D-Astoria)

- Representative Gary Hansen (D-Portland)

A complete list of all committee members can be accessed at [www.leg.state.or.us](http://www.leg.state.or.us).

## **2003 Legislative Agenda**

On January 16, the Board of Commissioners adopted the county's 2003 Legislative Agenda. The Agenda includes the Board's priorities on state issues and is broken down into general government, health and human services, and public safety. Some of the items include mental health, access to health care, community corrections, domestic violence, PERS reform, and transportation infrastructure.

The 2003 Legislative Agenda is included as an email attachment. Contact the Public Affairs Office at 503-988-6800 or [pao.org@co.multnomah.or.us](mailto:pao.org@co.multnomah.or.us) with questions.

## **Kulongoski appointments**

In preparation of his new term, Governor Kulongoski made the following appointments to his cabinet:

Department of Administrative Services  
Director – Gary Weeks

Department of Human Services Director  
– Jean Thorne

Governor's Advisor on Health & Human Services – Erinn Kelley-Siel.

## **January Emergency Board**

On January 9 and 10, 2003, the Legislative Emergency Board (E-Board) met. Most of the E-Board's actions were approval of grant applications and acceptance of status reports. The E-Board did, however, approve one funding request: \$5 million was appropriated to the Indigent Defense Account to cover

some costs of court-appointed attorneys for the remainder of the 2001-2003 biennium.

## **Governor's proposed budget**

Prior to the convening of the Legislature, Governor Kulongoski released a proposed budget for the 2003-2005 biennium. Highlights of the proposed budget with respect to Multnomah County are listed below in three areas: general government, public safety, and human services.

### **General government:**

- Restores K-12 education budget cuts from HB 5100/Ballot Measure 28.
- Allocates \$5.05 billion for K-12 education.
- Eliminates compensation increases for all state employees, including school employees.
- Doubles the two-year auto registration fee to fund transportation projects.
- Continues many program reductions outlined in HB 5100/Ballot Measure 28 throughout the biennium.

### **Public safety:**

- Reduces District Attorney witness fee payments.
- Reduces domestic violence grants.
- Maintains the adult prison population and keeps institutions open.
- Reduces Oregon Youth Authority's statewide bed capacity by 250 by closing four regional juvenile facilities.
- Reduces community corrections grants to counties by 25 percent.
- Reduces juvenile services including foster care, residential

treatment, and diversion, in addition to Multnomah County's gang services funding.

### **Health and human services:**

- Reduces funding for programs in Oregon Children's Plan. Reserves funds for Healthy Start.
- Restricts most mental health services to clients who are Medicaid-eligible.
- Reduces services for seniors and those with disabilities, including Oregon Project Independence and General Assistance.
- Reduces Survival Priority Levels 5-17 for seniors.
- Eliminates residential services for the developmentally disabled, impacting 5,500 people who were covered by the Staley settlement agreement.
- Reduces services under the Oregon Health Plan. Remaining clients will receive access to inpatient and outpatient services, emergency room and ambulance services, physician services, laboratory, X-ray, and prescription coverage. All clients will have benefits reduced by 35 lines on the prioritized list of services.
- Eliminates adult dental services under the Oregon Health Plan.
- Eliminates the Medically Needy program.

The Governor's budget serves as a beginning point for the Legislature's budget discussions. A final budget will be approved at the end of the session.

For more information on the Governor's proposed 2003-2005 budget, contact the Public Affairs Office at 503-988-6800 or [pao.org@co.multnomah.or.us](mailto:pao.org@co.multnomah.or.us).



# 2003 Legislative Agenda



Multnomah County values its partnership with the State of Oregon and other jurisdictions as vital providers within Oregon's system of care. Each entity in this relationship is impacted as changes take place throughout the system. Multnomah County is mandated by state law to perform specific functions with state funds. Because Multnomah County relies on the state for 30% of its budget, changes at the state level significantly affect the county.

Multnomah County has made significant strides in working more efficiently with existing resources. Eliminating duplication of services, enhancing coordination among departments and across jurisdictions, and evaluating core service responsibilities have contributed to successful restructuring of our local mental health, early childhood, and school services frameworks. The Board of County Commissioners continues to find ways to improve efficiencies, working with its federal, state, local, educational, nonprofit, and business partners.

Similar to the rest of the state, Multnomah County's economy has experienced a significant downturn, resulting in a major effort to downsize and re-evaluate spending priorities. In the last year and a half, Multnomah County has faced a series of spending reductions; including a reduction of \$18.6 million in the mid-year rebalance of FY 2001-02, \$13.4 million of reductions in the adoption of the FY 2002-03 budget, and an overall reduction of \$15.6 million in the FY 2002-03 mid-year rebalance. It is estimated that the FY 2003-04 budget will include a \$25 million shortfall. None of these reductions have included state reductions; instead, they are evidence of revenue shortfalls in Multnomah County's tax base.

The 2003 Multnomah County Legislative Agenda emphasizes the importance of preserving critical services for Oregon's most needy and vulnerable residents. Multnomah County serves more than 650,000 Oregonians in its health and human services, public safety programs, and general government operations. Providing these essential services in both good economic times and bad, operating with fiscal integrity, and securing reasonable, long-term revenue solutions, is a priority of the Multnomah County Board of Commissioners.

## **Operating basic government services as a regional partner**

As the second largest governmental entity in the state, Multnomah County is considered an integral community partner within the metropolitan region and throughout Oregon. The wide variety of services provided by the county assists its partners in schools, social services, and businesses. The following general government policy issues are top priorities in Multnomah County:

- **Secure a stable and long-term funding source for schools.** Funding for schools is an investment in Oregon's business infrastructure. The entire community benefits when Oregon's schools are strong. Multnomah County participates in education initiatives that promote student success, encourage students to stay in school, and involve parents in school activities.
- **Maintain current levels and expand accessibility of housing that is both affordable and safe.** Oregon faces a statewide low-income housing crisis. Affordable housing options are the key to holding stable jobs and living independently. The need for affordable housing is particularly acute in urban areas of the state as the disparity between incomes and housing prices expands. As areas such as East Multnomah County continue to grow, a regional and strategic approach to providing affordable housing is supported by the county.
- **Adequately fund transportation and infrastructure projects that assist Oregon commerce and the public's day-to-day lives.** Multnomah County's six Willamette River bridges and miles of unincorporated county roads are key regional transportation conduits. Dedicating resources for infrastructure projects such as the Sauvie Island Bridge, as well as the region's overall transportation system, is essential to improving the regional and state economy. Multnomah County continues to support the intent of the Oregon Transportation Investment Act.
- **Support fair, balanced, and reasonable reforms to Oregon's Public Employee Retirement System (PERS).** As the employer of over 5,000 employees, and one of the main litigants in the PERS lawsuit, Multnomah County has a vested interest in containing

the costs of PERS while providing a secure and competitive retirement package for its valued employees. The Board of Commissioners supports reform efforts proposed by the Local Government Employer Task Force.

- **Increase the tax on beer and wine to stabilize alcohol and drug treatment and prevention programs.** Oregon taxpayers invest over \$900 million each year to support the costs of treatment, yet the beer and wine industry contributes less than 1.3% of the cost through existing taxes. Studies show that investment in treatment and prevention reduces the enormous social and economic costs associated with substance abuse.

### **Ensuring the Public's Safety**

Counties provide key services within the public safety system in Oregon: jailing offenders awaiting trial, prosecuting crimes, and supervising offenders' re-entry into the community after incarceration. Statistics reveal that crimes in Oregon increasingly include people with serious mental health problems, result in domestic violence and child abuse, and are very likely to involve alcohol or drug use or abuse. The following public safety policy issues are top priorities in Multnomah County:

- **Increase the DUII (Driving while Under the Influence of Intoxicants) assessment fee.** The assessment fee covers the cost of each DUII offender's assessment, allowing local public safety officials to accurately target penalties and monitor treatment of these offenders, thereby reducing their risk of re-offending.
- **Support initiatives that reduce the incidence of domestic violence.** This includes services for families, safe housing, increased counseling for victims, services for children who witness domestic violence, and strict supervision of perpetrators.
- **Allocate resources to maintain and improve Oregon's mental health system to keep those with mental illnesses out of jails and in effective treatment.** Efforts to close gaps in services, focus on cultural competency, and improve coordination of support services such as treatment for addiction, are priorities of Multnomah County.
- **Provide adequate resources to counties under the SB 1145 community corrections agreement so that offenders can successfully transition back into the community after being incarcerated.** Studies show that offenders who receive mental health and alcohol and drug supports, in addition to assistance with family, employment, and housing, have a better chance of staying out of the criminal justice system.

### **Providing the Essential Safety Net of Services**

As the state-designated Public Health Authority and Mental Health Authority in Multnomah County, the Board of Commissioners takes seriously its responsibility to provide safety net services to those most vulnerable in our community. The emerging bioterrorist threats and threats of disease to local communities has alerted authorities nationwide as cases of West Nile Virus spread westward, cases of Anthrax proved deadly, and the threat of terrorism became real. The following health and human service policy issues are top priorities in Multnomah County and must be preserved and sustained:

- **Support local public health authorities in emergency preparedness efforts.** A strong local public health infrastructure is critical as counties respond to disease surveillance and epidemiology and initiate community-wide disease prevention efforts. Counties play a critical role in increasing homeland security and preventing threats to public health.
- **Address the health care needs of low-income Oregonians who are underinsured or uninsured.** Multnomah County supports efforts to increase access to health services as Oregon continues to struggle with a weakened economy.
- **Maintain early childhood services.** Proposals that support early childhood education and prevention programs and social services for families with young children are a high priority. Studies show that investing in prevention avoids higher treatment costs in the future.
- **Enhance mental health treatment and services.** The Board of Commissioners and many community stakeholders have been working to improve the county's mental health system with an emphasis on consumers and families. Maintenance of these system improvements and the creation of mental health parity are essential to increasing services to those with mental illnesses in Oregon. Efforts to redistribute state resources for local mental health services are not supported by Multnomah County.



# Multnomah County Service *Estimated* Impact (E-Board, December Across the Board, and M28 Cuts)\*

Agency/ Department/ Division	Common or Program Name	Immediate Direct County Loss	Immediate County Contracts	County FTE	Series (E-B, Dec-cut, M28, Other)	Impact Estimations/Service Notes
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## DBCS

	Gorge Commission Cut	-	-		M28	Indirect. This does not translate into a funding loss to the county. However, the Gorge Commission has indicated this cut will reduce the outreach and public involvement efforts they had planned for Management Plan Review.
	Land Use Planning	-	-		M28	Indirect. It is understood that this is all Transportation & Growth Management (TGM) grant money, which is not significant to BCS at this time.
	A&T Cut	20,000	-		M28	Absorbed loss with vacant position savings and some additional dedicated revenues. Expect no impact to service level.
<b>Total DBCS</b>		<b>20,000</b>	<b>-</b>	<b>0</b>		

## CCFC

	Healthy Start	150,000	-		E-B	State asked for voluntary for one-time savings, else cut next FY. Amount entered was OFFERED TO STATE NOT OFFICIAL (start-up savings: won't affect direct service)
	Family Preservation and Support	51,971	-		E-B	State asked for voluntary for one-time savings, else cut next FY. Amount entered was OFFERED TO STATE NOT OFFICIAL (carry-over savings: won't affect direct service)
	Great Start	91,490	-		M28	Absorbed loss with carryover from FY02. No impact in FY03 (expecting an impact for FY04, which is currently unknown)
	Crisis Nurseries	-	104,401		M28	Multnomah VOA would be unable to serve 145 children/families, they would be unable to serve individuals on waiting lists or referred from DHS.
	CASA	-	9,750		M28	Approximately 50-55 cases could be impacted by this reduction.
<b>Total CCFC</b>		<b>293,461</b>	<b>114,151</b>	<b>0</b>		

## DCHS

ADS	Reduce Oregon Project Independence	-	19,856		Dec-cut	Some clients annually may see reduced in-home services. Some are very impaired (levels 1-6). District 9 senior centers provide these services. Additional provider staff will also be eliminated. Multiple contractors are involved.
ADS	Special needs payments	-	-		Dec-cut	Indirect. Reducing payments for household items and home adaptations for clients in community based care.
ADS	Eliminate General Assistance (Dec cut=95% & M28=5%)	310,223	-	13	Dec-cut (M28)	1090 persons will lose cash assistance. Clients aged 18-64 with resources of \$50 or less – SSI or SSDI pre-eligible. 95% of program estimated to end in December cut with the final 5% to end if M28 passes.
ADS	Eliminate State General Funds for Retired Senior Volunteer Program (RSVP).	-	-		Dec-cut	Indirect. Eliminate State General Funds for Retired Senior Volunteer Program (RSVP)--indirect impact.

Agency/ Department/ Division	Common or Program Name	Immediate Direct County Loss	Immediate County Contracts	County FTE	Series (E-B, Dec-cut, M28, Other)	Impact Estimations/ Service Notes
ADS	Assisted Living Facilities (ALF) & Nursing Facilities rollbacks	-	-		M28	Indirect. There are 18 assisted living facilities in Multnomah County. 288 Medicaid clients in the county who could lose their housing. May close nursing home facilities.
ADS	Eliminate ALF & Nursing Facility COLA	-	-		M28	Indirect. This could affect mostly nursing facilities with high numbers of Medicaid clients (34 facilities in Multnomah County, 1,382 Medicaid-eligible people residing in these facilities.)
ADS	Medicaid Long-Term Care (level 10-14)	102,855		21	M28	Reduce benefits for Medicaid Long-Term Care (level 10-14): 1,480 clients will lose services. Phased implementation beginning 2/1/03. FTE loss will occur as of 7/03. Additional FTE loss expected.
ADS	Medicaid Long-Term Care (level 15-17)	136,475	-	5	M28	1,606 persons are scheduled to lose services. Many getting home care will likely go to a nursing facility due to greater risk of emergency medical problems. Additional elimination expected FY04 as program moves people to homes.
ADS	Medically Needy	466,310	-	19.75	M28	1,972 clients will no longer have medication coverage (more than half are disabled clients of any age), or alcohol and drug or mental health treatment.
ADS	Lose Medicare Part B coverage (SMB)	24,340	-	1	M28	Eliminate payment of Special Low-Income Medicare Beneficiary (SMB) for approximately 625 clients.
ADS	Veterans Counseling Program	102,730	-	4	Other	Veterans Counseling Program cut indirectly due to resource reallocation. 1,500 will lose services.
DD	DD47: Semi-Indep Living	-	215,634		M28	121 clients would be unable to receive the supportive services that allow them to live independently. Note that DD M28 information good as of 1/6/03 and will change.
DD	DD48: Title XIX admin and Case Mgmt	367,000	-	16	M28	Eliminates County capacity to provide monitoring and oversight of Title XIX-funded service plans and could eliminate one-third of the Division's case management capacity. These cuts have the potential to nearly double current caseloads as of 2/1/03. Note that DD M28 information good as of 1/6/03 and will change.
DD	DD49: Reduce Family Support	-	409,000		M28	372 families would be unable to access services such as day habilitation, family training, occupational and physical therapy, respite care, speech, hearing, and language services, specialized medical equipment, and accessibility adaptations. Note that DD M28 information good as of 1/6/03 and will change.
DD	DD54: Eliminate a sub-set of Vocational Services	-	1,050,495		M28	Estimate 235 clients would lose employment supports. Note that DD M28 information good as of 1/6/03 and will change.
DD	DD148: Brokerage- Community Options Personal Agents	246,000	-	10	M28	Note that DD M28 information good as of 1/6/03 and will change. Eliminates all personal agent support in planning for and obtaining services for 110 current clients and another 370 who are scheduled to be enrolled during the next two years. This totals 480 clients losing service.**
DD	DD149: Brokerage Community Options Services	-	434,000		M28	Note that DD M28 information good as of 1/6/03 and will change. This eliminates a large number and variety of in-home support services for 110 current and 370 future enrollments. Services include homemakers, physical & occupational therapy, respite care, speech, hearing, and language services, specialized medical equipment, and accessibility adaptations.**

Agency/ Department/ Division	Common or Program Name	Immediate Direct County Loss	Immediate County Contracts	County FTE	Series (E-B, Dec-cut, M28, Other)	Impact Estimations/ Service Notes
MH&AS	Disenrollment of OHP In-Pat/Out-Pat MH Tx	-	1,666,666		E-B	Disenrollment for MH coverage for inpatient and outpatient Tx services. MH would sustain ~\$5m annually beginning 3/1/03
MH&AS	Reduction in OHP by 2%	-	216,000		Dec-cut	Reduction in OHP 2% (\$650k/yr)
MH&AS	MHS25: Community Crisis- ICP, Mobile Crisis, Phone Ctr	95,553	271,589		Dec-cut	This reduction represents approximately 20% of the call center and drop-in clinic.
MH&AS	AD66- Out-Pat TX	-	124,674		Dec-cut	MH&AS to check on this impact.
MH&AS	MHS20: Mental Health Adult Outpatient	315,187	315,187	10	M28	Approximately 2,579 adult clients will be impacted by this cut.
MH&AS	MHS21: Psych Day Tx	-	91,610		M28	MH&AS to check on this impact (Day Tx for kids?).
MH&AS	MHS22: Community Tx-Children	-	130,525		M28	Approximately 562 children will be impacted by this cut.
MH&AS	MHS25: Community Crisis- ICP, Mobile Crisis, Phone Ctr	278,726	793,299	11	M28	This represents the remaining 80% of the call center and drop-in clinic (see above).
MH&AS	MHS28: Cut MH residential Tx-Adult	-	304,610		M28	An estimated 262 adults may be affected.
MH&AS	MHS38: Cut MH job assistance	-	90,783		M28	About 20 people may be impacted by this program elimination.
MH&AS	AD61: Reduce A&D residential Tx	-	660,000		M28	An estimated 72 adults may be impacted in Multnomah County.
<b>Total DCHS</b>		<b>2,445,399</b>	<b>6,793,928</b>	<b>111</b>		

#### Health

Disenrollment of OHP for Adult Dental	372,000	-		E-B	Estimate 4,000 of our current 20,000 clients will lose benefits. On average, clients visit the dentist twice a year. A Medicaid visit brings in \$206 per visit. If these clients became "self pay," we'd collect \$20 a visit. The net loss would therefore be \$186 per visit. So the total loss in revenue would be \$1,488,000 in a year.
Eliminate OHP coverage lines 559-566 (see below primary care & dental reduced eligibility)	see below	-		E-B	Eliminate coverage for lines 559-566 for OHP prioritized list of healthcare services. (1/1/03)

Agency/ Department/ Division	Common or Program Name	Immediate/Direct County Loss	Immediate County Contracts	County FTE	Series (E-B, Dec-cut, M28, Other)	Impact Estimations/ Service Notes
	Eliminate General Assistance program and shift GA clients to OHP standard	121,666	-		Dec-cut	There are 900 GA clients in Multnomah County. This change would mean that current GA clients (who are disabled enough not to be able to work), and will lose their cash grant, will also have to pay monthly premiums to maintain their medical coverage. For most of these individuals, this will be impossible, resulting in an increase in the number of uninsured individuals in the county. Some are clients of MCHD. MCHD will lose the ability to bill Medicaid for their care. As a result, it will not be able to serve these clients. Because Medicaid demand for service is high, it will seek to serve other clients in their place.
	Change eligibility for adults/couples	700,000	-		Dec-cut	At present, OHP eligibility starts with the date of application. Under this change, in many cases, clients will not be eligible until 2 months after they apply. MCHD will be financially unable to serve most new applicants until after their OHP eligibility
	Eliminate prescription drug OHP standard	240,000			M28	On the cut of the pharmacy benefit to the OHP standard population, we are estimating the revenue impact (without shifts in client services) would be about \$80,000 a month, or roughly 20% of our Medicaid pharmacy revenue.
	Medicaid Long-Term Care-Primary Care and Dental	306,000	-		M28	A relatively small number at MCHD will lose the ability to bill Medicaid for their care. As a result, it will not be able to serve these clients. Because Medicaid demand for service is high, it will seek to serve other clients in their place.
	Medically Needy- Pharmacy	114,000			M28	The Medically Needy program provides pharmaceutical benefits to 8,700 Oregonians. These are clients who would be uninsured in MCHD's Primary Care system, but have a pharmacy benefit. The impact would be on MCHD's pharmacy revenues.
	Lose Medicare Part B coverage (supports)	20,000	-		M28	This cut would cause certain individuals to lose Medicare Part B coverage. MCHD estimates that it will affect approximately 5% of its annual Medicare revenues. State actions that will alter the payor mix of our clinical and other service delivery
	Reduce funding for school-based health centers	88,000	-		M28	The \$88,000 reduction would occur in the last five months of this fiscal year. It is presumed that next fiscal year, the state would eliminate its full annual grant, \$212,000. MCHD now operates school-based health centers in 13 schools. The system is funded by a combination of general funds, state grant dollars and OHP and Family Planning Enhancement Program (FPEP) dollars. If state dollars were lost, MCHD would either have to backfill with general fund dollars or close two to three school-based clinics.
	Field nursing	131,176	-	2	M28	Funding from Child Welfare provides two community health nurses to work as part of Family Support Teams. The CHNs are out stationed at two child welfare branch offices. Family Support Teams work with families who are in danger of losing custody of their children due to substance abuse issues. The CHN works as part of the multidisciplinary team and provides health consultation to the team and families served by the team. Impact could be loss of health expertise for working with families in the child welfare system.

Agency/ Department/ Division	Common or Program Name	Immediate Direct County Loss	Immediate County Contracts	County FTE	Series (E-B, Dec-cut, M28, Other)	Impact Estimations/ Service Notes
	Primary Care-- perinatal and prenatal programs	25,000	-		M28	These funds support MCHD's primary care system. If these funds were lost, they would have to either be backfilled with county general funds or MCHD would further reduce its capacity to care for uninsured women who are receiving prenatal and perinatal.
	Primary Care and Dental, reduce eligibility (incls EB cuts to OHP coverage lines 559-566, see above)	300,000	-		M28	This will reduce the number of treatments MCHD will be able to bill for. At this level of reduction, MCHD would lose the amount of revenue needed to serve roughly 500 uninsured clients. MCHD would need to serve roughly 500 fewer uninsured clients and
	Pharmacy- medical equipment	50,000	-		M28	Health currently bills little to Medicaid for DME. It is exploring other billing options to reduce this loss. However, failing an acceptable option, it would have to reduce services provided to uninsured clients in this area.
	TB Clinic	51,000	-	0.7	M28	This reduces ability to respond to communicable diseases. It will result in eliminating nursing staff (0.7 FTE) on MCHD's TB teams.
	Eliminate \$125,000 expansion of Office of Multicultural Health	-	-		M28	Indirect. This will not directly affect MCHD or its clients.
	Eliminate funds to train and certify health care interpreters	-	-		M28	Indirect. This will not affect MCHD or its clients.
	Reduce OHP pharmacy reimbursement	-	-		M28	Indirect. Reduce OHP pharmacy reimbursement to average wholesale price (AWP) minus 17%. This will not affect MCHD's revenues or its ability to provide prescribed medications to its clients.
	Do not distribute Safety Net Clinic funding	-	-		M28	Indirect. MCHD does not receive Safety Net Clinic funding. However, this reduction will significantly affect other safety net providers in the county and in the Metro area, and will result in an increase in the number of uninsured individuals unable to get medical
	Eliminate outlier payments for DRG hospitals	-	-		M28	Indirect. Eliminate outlier payments for DRG hospitals and reduce inpatient and outpatient reimbursement for DRG hospitals. This should not directly affect MCHD.
<b>Total Health</b>		<b>2,518,842</b>	<b>-</b>	<b>2.7</b>		

#### DCJ

Across the board DOC reduction (12/02)	483,917	-	3	Dec-cut	These reductions were mostly backfilled by under spend DOC and 3 vacant position savings.
Reduce Adult Supervision	310,573	17,130	13	M28	Affects field services in Adult Supervision. Approximately 1,500 offenders would no longer be supervised. The most serious offenders would remain under supervision. CJ's ability to address property and drug crimes will be significantly diminished.
Housing Services	-	136,480		M28	Reduction to adult housing services.

Agency/ Department/ Division	Common or Program Name	Immediate Direct County Loss	Immediate County Contracts	County FTE	Series (E-B, Dec-cut, M28, Other)	Impact Estimations/ Service Notes
	Transition Services	95,211	-	3	M28	Reduction to adult transitional services
	Domestic Violence Services	77,187	-	3	M28	Reduction to domestic violence services
	Family Service Unit	155,857	-	5	M28	reduction to family services
	Mental Health/Alcohol & Drug	96,333	372,614	4	M28	Reduction to mental health and A&D services
	Other Adult Services	213,910	96,870	6	M28	Reduction to other support services such as electronic monitoring, community justice initiatives, and pre-trial services.
	JCJ Custody Services	-	-		M28	Indirect. Multnomah County youth occupy approximately 20-25% of OYA close custody beds, an allocation of 101 beds. Closure of 4 facilities could result in a reduction of 42 beds for juvenile offenders, causing early release. Juvenile offenders committed to these OY
	Gang transition services	-	124,887		M28	Multnomah County received \$3,150,000 in Gang Transition Services Funds from OYA for the biennium ending June, 2003. These dollars support a community-centered network of service providers focused on high-risk, gang-involved African-American youth, ages 12
	Juvenile diversion programs	60,867	-	2	M28	OYA - Reduce juvenile crime prevention - diversion programs
	OYA JCP Basic	71,884	-	1	M28	OYA - Reduce juvenile crime prevention - basic services grants
	CJC-JCP Prevention	115,006	-	6	M28	Criminal Justice Commission -juvenile crime prevention basic services grants
<b>Total DCJ</b>		<b>1,680,745</b>	<b>747,981</b>	<b>46</b>		

#### MCSO

	Across the board DOC reduction (12/02)	253,779			Dec-cut	Reduce officer training and cancel settlement payment
	Reduce SB1145 funds Inverness Beds: 2 Dorms 114 beds	754,584		14	M28	Close two dorms at Inverness for a loss of 114 beds
<b>Total MCSO</b>		<b>1,008,363</b>	<b>-</b>	<b>14</b>		

#### LPSCC

	Across the board DOC reduction (12/02)	6,228	-		Dec-cut	Reduction taken in outside research contracts, no COLAs or merit increases for staff. New director expected in mid-January which may alter these current reduction steps.
	Reduce SB1145 funds	18,519	-		M28	Reduction taken in outside research contracts, no COLAs or merit increases for staff. New director expected in mid-January which may alter these current reduction steps.
<b>Total LPSCC</b>		<b>24,747</b>	<b>-</b>	<b>0</b>		

Agency/ Department/ Division	Common or Program Name	Immediate Direct County Loss	Immeadiante County Contracts	County FTE	Series (E-B, Dec-cut, M28, Other)	Impact Estimations/ Service Notes
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County Total (E-B, Dec-cut, M28)	7,991,558	7,656,060	173	
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County M28 only total (for remaining FY03)	5,343,490	5,357,275	153	M28
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#### \*Important notes

These estimates are constantly changing (check updated time below for more recent information).

Changes are due to updates at the State, agency updates of estimates, and various department strategies used to respond to the loss (e.g., Dept. reallocation).

Note that these figures are only for the remaining FY03 (beginning in 2/1/03 in most cases). On-going cuts will be annualized.

In some cases FTE estimates were given in ranges--maximum estimates are reported herein. Additional significant staff loss will occur as of 7/03, due to these cuts.

E-B=November DHS E-Board cut; Dec-cut=December Governor's across the board cuts; M28=Measure 28/HB5100 cut; Other=cut indirectly related to State cut (Dept reallocation).

This list does not include the new Governor's budget proposal, which may directly impact listed programs.

#### Sources:

DBCS (Kathleen Tuneberg, Tom Simpson); CCFC (Aimee Ortiz); ADS (Mary Shortall, Jim McConnell); DD (Howard Klink);

MH&AS (Wendy Lear); HD (Dan Kaplan); DCJ (Shaun Coldwell); MCSO (Larry Aab, Christine Kirk); LPSCC (Christine Kirk).

Last updated 1/23/03, 9:00 AM by Matt Nice x83364.
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# AGENDA PLACEMENT REQUEST

**BUD MOD #:**

**Board Clerk Use Only:**

**Meeting Date:** January 23, 2003

**Agenda Item #:** B-1

**Est. Start Time:** AM

**Date Submitted:** 01/08/03

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**Requested Date:** January 23, 2003

**Time Requested:** 15 minutes

**Department:** Non-Departmental

**Division:** Auditor

**Contact/s:** Judy Rosenberger

**Phone:** 503/988-3320

**Ext.:** 83220

**I/O Address:** 503/601

**Presenters:** Suzanne Flynn and Judith DeVilliers

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**Agenda Title:** Board Briefing Workplace Safety System

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

- 
1. **What action are you requesting from the Board? What is the department/agency recommendation?**
  2. **Please provide sufficient background information for the Board and the public to understand this issue.**
  3. **Explain the fiscal impact (current year and ongoing).**

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

**If a budget modification, explain:**

- ❖ **What revenue is being changed and why?**
- ❖ **What budgets are increased/decreased?**
- ❖ **What do the changes accomplish?**

- ❖ Do any personnel actions result from this budget modification? Explain.
- ❖ Is the revenue one-time-only in nature?
- ❖ If a grant, what period does the grant cover?
- ❖ When the grant expires, what are funding plans?

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

**If a contingency request, explain:**

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

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

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

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

**Required Signatures:**

**Department/Agency Director:**



**Date: January 9, 2003**

**Budget Analyst**

**By:**

**Date:**

**Dept/Countywide HR**

**By:**

**Date:**



**SUZANNE FLYNN, Auditor**  
**Multnomah County**

501 S.E. Hawthorne, Room 601  
Portland, Oregon 97214


Telephone (503) 988-3320  
Telefax 988-3019

[www.multnomah.lib.or.us/aud](http://www.multnomah.lib.or.us/aud)

**MEMORANDUM**

Date: January 13, 2003

To: Diane Linn, Multnomah County Chair  
Maria Rojo de Steffey, Commissioner, District 1  
Serena Cruz, Commissioner, District 2  
Lisa Naito, Commissioner, District 3  
Lonnie Roberts, Commissioner, District 4

From: Suzanne Flynn, Multnomah County Auditor 

Subject: Workplace Safety System Audit

The attached report covers our audit of the of the County's system for workplace safety. This audit was included in our FY01-02 Audit Schedule.

After a review of the County's risk management function, we decided to audit the strength of proactive workplace safety efforts. Ensuring workplace safety is required by state statute and the County code. We found that the majority of the County's efforts are reactive, occurring once an injury has happened. Departments are not clear about their responsibility in providing for employee workplace safety and safety committees are used ineffectively.

The literature indicates that 98% of injuries are caused by a safety system failure. We are recommending that the County strengthen its management commitment to accident prevention and increase accountability. We have discussed our findings and recommendations with the Department of Business and Community Services and the County Chair's Office. Responses to this audit are included in the report's appendix. A formal follow-up to this audit will be scheduled within 1-2 years.

We appreciate the cooperation and assistance extended to us by the management and staff in the Department of Community and Business Services.

**Workplace Safety System**  
**Increase Management Commitment**

**January 2003**

**Suzanne Flynn**  
**Multnomah County Auditor**

**Audit Staff**  
**Judith DeVilliers, Senior Management Auditor**  
**Janis Hull, Senior Management Auditor**  
**Rie Anderson, Audit Intern**

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## Summary

As an employer, Multnomah County has a responsibility to ensure the workplace safety of its 4,900 employees. This responsibility is part of a larger risk management function in the County which is defined by the Multnomah County Code.

The workplace safety system for the County can be divided into two closely related components. The first is proactive and involves the prevention of work related injuries and illnesses; the second is reactive and includes the worker's compensation system that pays for the medical costs and work time losses once a work related injury or illness has occurred. This audit focused on the County's proactive efforts in the area of employee workplace safety.

We found that the County's efforts are primarily reactive. The responsibility for a proactive system should be shared by the centralized Workers Compensation and Safety Section and department directors. Some departments believe that the centralized section is responsible for the County's workplace safety efforts and many departments have abdicated their responsibility to safety committees. State guidelines require management commitment at every level of the organization, an accountability system to ensure that all possible efforts are in place, employee involvement, safety training, workplace inspections, accident investigations, and annual evaluation. In each of these areas, we found that improvements were needed.

The role of departmental safety committees are an important component of an effective workplace safety system. Four of the twenty-five most common fines imposed by the Oregon Occupational Health and Safety Division on employers is from non-compliance with state laws related to safety committees. Not all departments have a safety committee. In some cases the lack of a committee is due to department reorganization, in others they have been inactive for a long period of time. In cases where committees did exist we found that they were not always operating as intended.

To improve the County's proactive system for employee workplace safety we recommend improved procedures be developed, that the County improve its efforts to ensure an effective system is in place, and that managers, supervisors, and employees be trained and held responsible for their part in ensuring workplace safety.

## **Background**

The responsibility for workplace safety for the 4,900 employees working for Multnomah County is part of a larger risk management function in the County. According to the County code, this function is the responsibility of the Department of Community Business and Services (DCBS) in consultation with the County Attorney. The County's Administrative Procedures and state law also put shared responsibility for safety on department directors, their delegated managers and supervisors, and all County employees. Worker safety is also regulated by the Oregon Occupational Safety and Health Division (OR-OSHA) of the Department of Consumer and Business Services.

The workplace safety system for the County can be divided into two closely related components. The first is proactive and involves prevention of work related injuries and illnesses; the second is reactive and includes the worker's compensation system that pays for the medical costs and work time losses caused by a work related injury or illness.

By Administrative Procedure the proactive component of the County's safety system is primarily the responsibility of department directors and their delegated managers and supervisors, as well as all County employees. From FY89-90 to FY00-01 the County had a single position that was responsible for the risk management function. Since then, 3 FTE in the Workers Compensation and Safety Section within DCBS provided some of these functions in the form of technical resources and safety training that is available to all County departments.

The reactive component of the County's safety system is also the Worker's Compensation and Safety Section. It is considered reactive because the emphasis is on paying claims from injuries that have already occurred and performing some preventative measures to reduce claims. Administration of the County's worker compensation system is also done by the Workers Compensation and Safety Section.

The County is self-insured for its worker's compensation and is subject to state review and monitoring. The County has recently had a favorable state audit of the administration of its worker's compensation program.



Scope and  
methodology

The objective of this audit was to review the County's worker safety and health prevention efforts and determine if the County was in compliance with state laws, County Code, and Administrative Procedures. In order to determine the focus of our audit, we completed a less comprehensive review of the whole risk management function. During our review, we noticed that most trends historically and compared to industry standards were favorable. We did notice that the proactive safety system was weak and decided to focus our efforts in this area. We performed various tests and looked at documents to determine if the County was in compliance. The laws and rules we included were limited to those that apply to overall employees safety prevention efforts and did not include review of the many laws which apply to specific workplaces or occupations.

In preparation, we reviewed best practices and safety training materials and participated in OR- OSHA safety classes. We also interviewed managers and employees and sent two email surveys ot nearly 400 County employees, including managers, union stewards, and safety committee members. We reviewed County Code, ordinances, and Administrative Rules, interviewed managers and reviewed documents to determine if County departments were in compliance with County policy and rules and state laws relating to worker safety and health.

The County Auditor's Office did an audit of the County's risk management function in October, 1987, but has not looked at the function since that time. One recommendation from that audit was to strengthen the risk management function and create a risk manager position.

This audit was included in our FY01-02 audit schedule and was conducted in accordance with Government Auditing Standards. A follow-up review will be completed in 1-2 years.

## **Audit Results**

The County could improve its efforts to ensure employee safety

An effective workplace safety system makes a difference in preventing injuries and illnesses in the workplace. The resources spent on workplace safety result in lower worker compensation claim costs and improved worker productivity and morale. Companies which participate in federal and state best practice OSHA programs have documented substantial dollar savings resulting from improving their safety and health loss prevention efforts. In Oregon, safety is considered so important that the SHARP (Safety and Health Achievement Recognition Program) recognizes employers with outstanding efforts.

The County does not have a workplace safety system in place to provide assurance that reasonable efforts have been taken to meet its obligations. An effective safety program is more than the County Code and Administrative Rules; it involves an effective system that assigns responsibility for injury prevention to department directors, their delegated managers and supervisors, and every employee. According to OR-OSHA literature, 98 percent of injuries are from system failure.

Currently, the County's efforts are primarily reactive, dealing with an injury after it has occurred. The present safety system consists of sections of the County Code defining the risk management function and policy within DCBS, a number of Administrative Rules, and various department procedures. Most preventative activities are carried out by safety officers and safety committees, or through work done by the Workers Compensation and Safety Section or individual efforts by supervisors and employees. However, these activities are not coordinated and are missing many vital components. When we asked employees about the County's safety and health system, some responded they could not answer the questions because they did not know the County had a safety program or system. The DCBS introduced a new Risk Management Administrative Rule in November 2002 but this does not fully meet state guidelines. While the new rule is an improvement, there should be more emphasis on department director responsibilities.

During our audit we did not find any departments to have a written safety program which meets the guidelines of best practices and state law. The exception is the Health Department which is in the process of training its employees and implementing a system which would generally meet the legal requirements. Other departments have safety rules and references to the County's risk management rules; some have documented required OSHA programs such as hazard

communications and bloodborne pathogen programs. Some department managers and many employees were unaware of the County's risk management rules which relate to safety issues. Many County employees are never given safety training other than during their "new employee orientation".

Departments are not  
meeting their  
responsibilities

Requirements in the County Code are not being met and department responsibilities may not conform to state guidelines. The County Code (7.102, 7.103) states that the DCBS directs and manages employee health and benefit programs and that Departments must conform to County, state and federal safety standards. Additionally the Code requires the Departments to consult with the DCBS and County Attorney's Office to identify significant risks, which the DCBS and County Attorney will make recommendations for remedial action, and the Departments will take action to reduce the risk. Further, we believe state law requires each County department to have a safety system in place and provides guidance for how a system should be organized.

As noted above, we could not find evidence of an effective workplace safety system on the department level, other than the Health Department. When we asked questions about safety, some departments indicated employee safety issues are the responsibility of the Workers Compensation and Safety Section or their safety committees.

Not all departments understand the role of the Workers Compensation and Safety Section. According to the section manager, their responsibilities are to provide technical assistance, training, and consultation and testing for air quality and ergonomics. It is not to manage department safety programs. However, two departments indicated the Section had the responsibility for their safety efforts, and others said they were responsible for various pieces of the system.

Many departments have abdicated their responsibility for the safety of their employees to safety committees. Safety committees are a very important part of the system, but according to state guidelines, safety committees are to assist the employer's safety effort, not to be that effort.

The County needs to  
follow state guidelines

We found the County is not always following state guidelines for safety prevention efforts. The Oregon Safe Employment Act established by the legislature in 1973 lays the foundation for workplace health and safety in Oregon. The two main sections in the law relate to Occupational Safety and Health, and Workers' Compensation. Under these laws the Director of the Department of Community and Business Services has also established Oregon

Administrative Rules (the Oregon Occupational Safety and Health Code). The parts of these laws that have a direct effect on all County employees are (1) safety loss prevention efforts required for the County as a self-insured employer; and (2) legal requirements for safety committees. See Appendix A for a copy of applicable laws and administrative rules.

Both the requirements for self-insured employers and for safety committees put the responsibility for a loss prevention effort at the department or division level. The risk and amount of effort will vary in the County as County employees work varies from working in office environments, to building roads and operating bridges, to managing jail operations. Our review of compliance is based on looking at systems and not specific legal requirements for many of these unique working environments.

The County's loss prevention effort as a self-insured employer is weak

Oregon Administrative Rules require each self-insured employer to have a written loss prevention effort for each of its locations and outlines what that effort is to include. Our review of compliance was expanded to determine if the departments were in compliance with the intent and major state requirements, even if they were not in writing. Below is a summary of some of the most important of the eleven elements required for a self-insured employer such as Multnomah County. A copy of these is in Appendix A.

Management commitment

According to best practices, management commitment is evidenced in part by a statement of that commitment included in the company's overall policy, a written safety program, and written safety goals. We found little evidence of this commitment in most County departments. For example, in our review of accident reports, we found few written responses by management. In our employee survey, only 33 percent felt management had fully met this obligation. Many of those responding to our questions indicated they were not aware of department safety prevention efforts.

Accountability system

Accountability means holding both employees and management responsible for safety, by including safety responsibilities into job descriptions for both workers and supervisors. A system includes more than establishing rules and creating forms. Workers and management need to incorporate responsibilities into everyday activities. Accountability also includes training and awareness of safety issues and involves a system of rewards and discipline. Our interviews with most managers indicate they do not have systems in place to provide for accountability by employees, supervisors or managers. Only 28 percent of the employees in our survey indicated that individuals are recognized or disciplined for meeting or not

meeting safety responsibilities. Very few departments have included safety responsibilities in employee job descriptions.

Employee involvement

Employees should be involved in the workplace safety system. We found employees are willing to be involved but they are not trained and are often not given time from their regular duties to serve on safety committees or to take safety training classes. The County has nearly fifty safety committees. However, we found they are not working effectively. There is little evidence that departments actively seek employee input and, according to employee surveys, there is no reward system for employee involvement in the safety effort.

Safety training

Training and follow-up may be the most important part of a department's safety effort. We found department training programs need improvement. In practice, it appears that the departments with specific safety training needs have some method of tracking those. However, the results of our audit suggest many safety committees, supervisors, and managers lack training in hazard identification and accident investigations. The Workers Compensation and Safety Program Section provides training on request and in FY2002 trained 1200 students, 45 percent from the Health Department. Recently the County has increased driver training classes and mandated training for some employees. Employees responding to our survey indicated they did not feel they had adequate safety training. Most departments reported they had no system for letting their employees know about safety and health issues other than their new employee orientation and they rely on workers immediate supervisors to do this.

Workplace inspections

Departments are not doing workplace inspections and evaluations on a routine basis. County departments do not have an effective system which allows supervisors, employees, and safety committees to report unsafe work environments, conditions, or processes to departments. Many County departments seem to rely on safety committees to monitor for workplace hazards. The exceptions are for the few departments which have a safety officer position. According to the Workers Compensation and Safety Section, they do some hazard assessments when requested by department management or if they notice higher than usual loss claims for a particular area. However, these efforts, as well as department efforts, are not documented and appear to be done sporadically rather than on a regular, systematic basis.

Accident investigations

The County does not have an effective system for investigation of employee accidents as they occur. The purpose of an investigation is to determine the root cause so that future accidents can be prevented.

We reviewed a sample of accident investigations and found they were very poorly done and did not include corrective action, written findings, or follow up. In only one instance were best practice guidelines used in the investigation. In most cases we reviewed, the cause of accident was blamed on the employee. We found the recommendation on one accident to be "tell the employee to be more careful" and two months later, that same employee had a very similar accident. Both these accidents were easily preventable with only a little due care.

Annual evaluations

A final and critical component of any system is an evaluation of how the system is working and determining if it is accomplishing intended goals. State law requires such an evaluation on an annual basis as does County administrative rule. There is no evidence to indicate that such evaluations are taking place on a department or County-wide level. The DCBS stated that their annual report meets this requirement. However, we found no systematic evaluation of the whole system in this report. Rather, the report lists services provided and reviews trends which is a reactive approach.

The County is not using  
safety committees  
effectively

Safety committees are an important part of an organization's safety effort. In the late 1980's and early 1990's, Oregon had the sixth-highest workers compensation costs of all fifty states. Legislative reform of the worker's compensation system included laws requiring employers to have safety committees. Fourteen years later, Oregon was ranked thirty-fourth. Although the part safety committees played in this turnaround cannot be precisely identified, they did play a part. Because safety committees are important, four of the twenty-five most common fines from OSHA are from non-compliance with state laws related to safety committees.

Safety committee  
organization

The purpose of safety committees is to bring workers and management together to assist the employer and make recommendations for change. The way the County's safety committees are organized and the membership of the committees indicates that the County may not understand the purpose of safety committees. For example, some safety committees are composed of many departments and include non-County workers. As such, these types of committees cannot perform the legal requirements for safety committees as outlined below.

We also found that rather than using the safety committees to assist and make recommendations, many departments have instead transferred their responsibility for establishing and implementing loss prevention programs onto these voluntary safety committees. Because of this misconception of the purpose of safety committees, many of the following requirements cannot be met.

Not all departments have safety committees. In some cases the lack of safety committees is due to department reorganization, in others they have been inactive for a long period of time. In other cases some existing "safety committees" do not meet the legal requirement as safety committee because they are composed of multi-departments and non-County employees. Each budgetary entity, that is, a department, should have a safety committee. This does not mean that each separate location for a department should have a committee. In fact there currently may be more committees than actually needed. Such combinations cannot fulfill the duties required of safety committees under the law.

Safety committees should meet monthly unless the work place is an office environment and the employees do not regularly drive or go into the field. The County is not in compliance with this requirement for most committees we looked at. Some committees appeared confused about meeting requirements; some committees were meeting more often than required by law; and a number of committees were inactive or not meeting on any regular basis. DCBS stated they have developed and distributed a notebook of OSHA requirements. In our survey of departments, we saw no evidence of this notebook being used.

County departmental  
responsibility

Departments do not respond in writing to all safety committee recommendations. In our review of safety committee documents we found no evidence of written responses from the department. Further, departments also do not ensure that safety committee members take advantage of training that is available. From our employee survey and interviews employees seem willing and capable of doing a good job; they simply have not had guidance as to what their legal responsibilities are.

Safety committee  
activities

Safety committees are required to make quarterly workplace inspections and recommendations. We found that very few safety committee inspection teams are doing quarterly inspections. Some committees indicated quarterly inspections meant how often they did these, rather than how often the worksite is to be inspected. As a result they inspected one worksite a quarter rather than each worksite each quarter. Inspections often were documented with a check sheet and a few notations. There was no indication that the inspection team had adequate training or guidance on how to perform this requirement.

We did not find evidence that all safety committees reviewed inspections. Of the committee minutes we tested, only 36 percent indicated that inspections were occurring. We did not find written recommendations to departments nor evidence of a written response.



Cooperative efforts between  
departments and safety  
committees

Safety committees are also responsible for creating and maintaining a system for employee safety suggestions. From our survey most committees indicated they did have a reporting system. In reviewing minutes 64 percent discussed hazards, but none of these indicated how the hazard had been reported. Only 12 percent of the safety committee minutes indicated the committee had a formal process. When we visited sample sites, we found no indication that employees were using a system of any kind for reporting hazards.

According to state guidelines the department should annually evaluate its accident and illness prevention program with the assistance of its safety committee. This is also required under County Administrative Procedures. We found no evidence that this has been done. Most committees did not know this was a requirement.

The safety committees are also to assist departments in evaluating the department's accountability system. There is no indication that safety committees or departments have done such an evaluation. However, since departments do not have written or easily identifiable accountability systems in place, the safety committees cannot perform this legal requirement.

Safety committees also are to establish procedures for investigating all reportable accidents. The committees are not required to do the investigation, but they are required to review the investigations and make recommendations. Sixty-four percent of the safety committee members indicated they had a process for reviewing workplace accidents. This function is greatly hampered because departments are often not investigating accidents or they are done very poorly. Safety committees that are composed of non-County employees and mixed departments and cannot fulfill this function because accident report recommendations would need to be made to the department for resolution.

Written records

Written records required by the law to show compliance with the purpose and duties are poor or nonexistent. Only 25 of the 45 safety committees we contacted sent us a sample copy of their minutes. A review of these minutes did not always indicate what action had been taken. Some minutes had references to recommendations but no indication as to how those recommendations were communicated to the department management. Most minutes were not in a format that would indicate whether the committee had made a recommendation or done any type of evaluations. The minutes and other documentation should indicate how the committee is fulfilling its duties. OSHA has guidelines for safety committees with sample agendas and minutes that meet all needed requirements.

## Recommendations

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To improve the County's proactive system for employee safety and compliance with state law:

1. Administrative Procedures need to be clarified so that department directors can be made aware of their responsibilities and duties under state laws.
2. Each County department at a minimum needs to have their loss prevention efforts in writing to include all 11 provisions under ORS 437-001-1060
3. Managers, supervisors and employees need both training and awareness of their rights and responsibilities for safety and health loss prevention efforts.
4. Position descriptions for managers, supervisors and employees should include responsibilities for safety and health loss prevention efforts.
5. Departments without safety committees or with inactive safety committees need to create committees which are in compliance with the legal requirements.
6. The joint tenant building safety groups need to be reorganized and their responsibilities clarified; they should not be construed as safety committees.
7. Safety committees need to be trained and given guidelines so they can fulfill their obligations under state law.

Appendix A of this report excerpts state requirements related to this reports concussions. Appendix B contains a listing of the many resources for designing and implementing a proactive safety system which are available at no cost to all Oregon employers.

## **Responses to the Audit**

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**Diane M. Linn, Multnomah County Chair**

501 SE Hawthorne Blvd., Suite 600

Portland, Oregon 97214

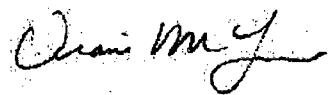
Phone: (503) 988-3308

Email: [mult.chair@co.multnomah.or.us](mailto:mult.chair@co.multnomah.or.us)

MEMORANDUM

Date: January 8, 2003

To: Suzanne Flynn, County Auditor

From: Diane Linn, Multnomah County Chair 

Subject: Response to Workplace Safety System Audit

The audit completed by your office evaluated Multnomah County's worker safety and health promotion efforts to evaluate our compliance with state and federal laws, county code and administrative procedures. Results of this audit show that overall the County meets or exceeds industry standard requirements. The audit also revealed that there is room for improvement with regard to the County's proactive safety system.

Multnomah County is committed to providing a safe environment for its approximately 5,000 employees and the constituents we serve. This commitment is a core value supported by our policies and procedures related to employees and constituent services.

It is my intent to address the recommendations offered in the audit by increasing our emphasis on proactive safety measures. By holding department managers accountable and with the support of the County's safety staff, to create an environment that minimizes safety and health risks we will move forward. This will be done by:

- Requiring that each employee receives adequate safety training;
- Providing on-going safety awareness through implementation of recommendations provided by safety committees;
- Seeking assistance from technical expertise within and external to the County for best practices; and by
- Measuring and acknowledging managers for their results related to safety and health.

Over the next year, it is our goal to build upon the favorable results of the audit by implementing these measures, particularly at the level of departmental manager. We appreciate the opportunity to enhance our commitment to the safety of our employees and constituents.

## Appendix A

### State legal requirements

Oregon Safe Employment Act established by the legislature in 1973 lays the foundation for workplace health and safety in Oregon. There are two main sections applicable to Multnomah County included in this review of state laws; Oregon Revised Statutes (ORS) Chapter 654-Occupational Safety and Health, and 656-Workers' Compensation. Under these laws The Director of the Department of Consumer and Business Services has established Oregon Administrative Rules (OAR) Chapter 437 .

The audit focused on safety and health laws which apply to every employee working for Multnomah County; it did not include the many provisions under the state laws and rules which apply to more specific types of work done by many county employees. The audit also did not include the many worker's compensation laws and rules except for those which apply directly to safety and health programs as a self-insured employer.

### Safe place of employment

654.003 Policy. The purpose of the Oregon Safe Employment Act is to assure as far as possible safe and healthful working conditions for every working man and woman in Oregon, to preserve our human resources and to reduce the substantial burden, in terms of lost production, wage loss, medical expenses, disability compensation payments and human suffering, that is created by occupational injury and disease. To accomplish this purpose the Legislative Assembly intends to provide a procedure that will:

(1) Encourage employers and employees to reduce the number of occupational safety and health hazards and to institute new programs and improve existing programs for providing safe and healthful working conditions.

(2) Establish a coordinated program of worker and employer education, health and safety consultative services, demonstration projects and research to assist workers and their employers in preventing occupational injury and disease, whatever the cause.

**654.010 Employers to furnish safe place of employment.** Every employer shall furnish employment and a place of employment which are safe and healthful for employees therein, and shall furnish and use such devices and safeguards, and shall adopt and use such practices, means, methods, operations and processes as are reasonably necessary to render such employment and place of employment safe and healthful, and shall do every other thing reasonably necessary to protect the life, safety and health of such employees. [Amended by 1973 c.833 §5]

Self-insured employers

**656.430 (10)** A self-insured employer must have an occupational safety and health loss control program as required by ORS 654.097.

**654.097 (1)(b)** A self-insured employer shall establish and implement an occupational safety and health loss control program in accordance with standards established by the director.

**437-001-1055 Self-Insured and Group Self-Insured Employer Loss Prevention Programs**

Each self-insured employer and each member of a group self-insured program shall establish and implement a written occupational health and safety loss prevention program for each establishment. As a minimum requirement, the program shall:

(1) Provide for a loss prevention effort within the normal functions of the business for prevention or reduction of health and safety injuries and illnesses; and

(2) Inform its managers and workplace locations of the availability and the process for requesting loss prevention assistance.

**437-001-1060 Self-Insured and Group Self-Insured Employer Loss Prevention Effort**

Each self-insured employer and each member of a group self-insured program shall implement a loss prevention effort for each of its locations, which identifies and controls all reasonably discoverable occupational safety and health hazards and items not in compliance with the federal or the division's occupational safety and health laws, rules and standards. The self-insured group shall assist each member of the group in developing and implementing the loss prevention effort. This loss prevention effort shall include at least the following:

- (1) Management commitment to health and safety;
- (2) An accountability system for employer and employees;
- (3) Training practices and follow-up;
- (4) A system for hazard assessment and control;
- (5) A system for investigating all recordable occupational injuries and illnesses that includes corrective action and written findings;
- (6) A system for evaluating, obtaining, and maintaining personal protective equipment;
- (7) On-site routine industrial hygiene and safety evaluations to detect physical and chemical hazards of the workplace, and the implementation of engineering or administrative controls;
- (8) Evaluation of workplace design, layout and operation, and assistance with job site modifications utilizing an ergonomic approach;
- (9) Employee involvement in the health and safety effort; and
- (10) An annual evaluation of the employer's loss prevention activities based on the location's current needs.
- (11) The group shall maintain records which document the assistance provided to each member of the group.

Safety committees

**654.176 Safety committee requirement; conditions.** (1) In order to promote health and safety in places of employment in this state:

- (a) Every public or private employer of more than 10 employees shall establish and administer a safety committee in accordance with rules adopted pursuant to ORS 654.182.

**654.182 Rules for ORS 654.176; contents.** (1) In carrying out ORS 654.176, the Director of the Department of Consumer and Business Services shall promulgate rules which include, but are not limited to provisions:

- (a) Prescribing the membership of the committees to insure equal numbers of employees, who are volunteers or are elected by their peers, and employer representatives and specifying the frequency of meetings.

(b) Requiring employers to make adequate written records of each meeting and to file and maintain the records subject to inspection by the director.

(c) Requiring employers to compensate employee representatives on safety committees at the regular hourly wage while the employees are engaged in safety committee training or are attending safety committee meetings.

(d) Prescribing the duties and functions of safety committees, which include, but are not limited to:

(A) Establishing procedures for workplace safety inspections by the committee.

(B) Establishing procedures for investigating all safety incidents, accidents, illnesses and deaths.

(C) Evaluating accident and illness prevention programs.

(e) Prescribing guidelines for the training of safety committee members.

#### **437-001-0765 Rules for Workplace Safety Committees**

(1) Purpose. The purpose of a safety committee is to bring workers and management together in a non-adversarial, cooperative effort to promote safety and health in each workplace. A safety committee assists the employer and makes recommendations for change.

(2) General.

(a) Every public or private employer of 11 or more employees shall establish and administer a safety committee.

(c) In making the determination of employment levels under sections (a) and (b) of this rule, the employer shall count all permanent, contract, temporary, and/or seasonal workers under the employer's direction and control, and shall base the number on peak employment.

(3) Locations.

(a) Safety committees shall be established at each of the employer's primary places of employment. For the purpose of these rules, a primary place of employment shall mean a major economic unit at a single geographic location, comprised of a



building, group of buildings, and all surrounding facilities (Examples of primary places of employment would include a pulp or lumber mill, a manufacturing plant, a hospital complex, bank, a farm/ranch, a school district, or a state agency.) As a primary place of employment the location would have both management and workers present, would have control over a portion of a budget, and would have the ability to take action on the majority of the recommendations made by a safety committee.

(b) An employer's auxiliary, mobile, or satellite locations, such as would be found in construction operations, trucking, branch or field offices, sales operations, or highly mobile activities, may be combined into a single, centralized committee. This centralized committee shall represent the safety and health concerns of all the locations.

(c) In addition to locating safety committees at each primary place of employment, an employer with work locations which include fire service activities shall establish a Fire Service Safety Committee as required by OAR 437-002-0182(7) in OAR 437, Division 2/L, Oregon Rules for Fire Fighters.

(4) Innovation. Upon application, the division may approve safety committees which are innovative or differ in form or function, when such committees meet the intent of these rules.

(5) Safety Committee Formation and Membership.

(a) The safety committees required by OAR 437-001-0765(2) shall:

(A) Be composed of an equal number of employer and employee representatives. Employee representatives shall be volunteers or shall be elected by their peers. When agreed upon by workers and management, the number of employees on the committee may be greater than the number of employer representatives. Seasonal workers shall not be counted for the purpose of determining the number of members who will serve on the committee.

(B) Consist of:

(i) No fewer than two members for each employer with twenty or less employees, or

(ii) No fewer than four members for each employer with more than twenty employees.

(C) Have a chairperson elected by the committee members.

(b) Employee representatives attending safety committee meetings required by OAR 437-001-0765(2) or participating in safety committee instruction or training required by OAR 437-001-0765(7) shall be compensated by the employer at the regular hourly wage.

(c) Employee representatives shall serve a continuous term of at least one (1) year. Length of membership shall be alternated or staggered so that at least one experienced member is always serving on the committee.

(d) Reasonable efforts shall be made to ensure that committee members are representative of the major work activities of the firm.

(6) Safety Committee Duties and Functions.

(a) Management commitment to workplace health and safety.

(A) The committee shall develop a written agenda for conducting safety committee meetings. The agenda shall prescribe the order in which committee business will be addressed during the meeting.

(B) The safety committee shall hold regular meetings at least once a month except months when quarterly workplace safety inspections are made. This does not exclude other months from safety committee meetings if more frequent safety inspections are conducted.

(C) Quarterly safety committee meetings may be substituted for monthly meetings where the committee's sole area of responsibility involves low hazard work environments such as offices.

(D) Small farms of five or fewer full time employees may substitute quarterly meetings for monthly meetings during the farms' off season. The off season shall mean that period of time when only routine farm upkeep is being done.

(b) Written records.

(A) Minutes shall be made of each meeting which the employer shall review and maintain for three years for inspection by the Division. Copies of minutes shall be posted or made available for all employees and shall be sent to each committee member.

(B) All reports, evaluations, and recommendations of the safety committee shall be made a part of the minutes of the safety committee meeting.

(C) A reasonable time limit shall be established for the employer to respond in writing to all safety committee recommendations.

(c) Employee involvement.

(A) The committee shall establish a system to allow the members to obtain safety-related suggestions, reports of hazards, or other information directly from all persons involved in the operations of the workplace. The information obtained shall be reviewed at the next safety committee meeting, and shall be recorded in the minutes for review and necessary action by the employer.

(d) Hazard assessment and control.

(A) The safety committee shall assist the employer in evaluating the employer's accident and illness prevention program, and shall make written recommendations to improve the program where applicable. Additionally, the safety committee shall:

(i) Establish procedures for workplace inspections by the safety committee inspection team to locate and identify safety and health hazards;

(ii) Conduct workplace inspections at least quarterly; and

(iii) Recommend to the employer how to eliminate hazards and unsafe work practices in the workplace;

(B) The inspection team shall include employer and employee representatives and shall document in writing the location and identity of the hazards and make recommendations to the employer regarding correction of the hazards.

(C) Quarterly inspections of satellite locations shall be conducted by the committee team or by a person designated at the location.

(D) Mobile work sites or locations and activities which do not lend themselves to a quarterly schedule shall be inspected by a designated person as often as Oregon occupational safety and health rules require and/or the committee determines is necessary.

(E) The person designated to carry out inspection activities at the locations identified in sections (C) and (D) of this rule shall be selected by the employer and shall receive training in hazard identification in the workplace.

(e) Safety and health planning. The safety committee shall establish procedures for the review of all safety and health inspection reports made by the committee. Based on the results of the review, the committee shall make recommendations for improvement of the employer's accident and illness prevention program.

(f) Accountability. The safety committee shall evaluate the employer's accountability system and make recommendations to implement supervisor and employee accountability for safety and health.

(g) Accident investigation. The safety committee shall establish procedures for investigating all safety-related incidents including injury accidents, illnesses and deaths. This rule shall not be construed to require the committee to conduct the investigations.

(7) Safety and Health Training and Instruction.

(a) The following items shall be discussed with all safety committee members:

(A) Safety committee purpose and operation;

(B) OAR 437-001-0760 through 437-001-0765 and their application; and

(C) Methods of conducting safety committee meetings.

(b) Committee members shall have ready access to applicable Oregon Occupational Safety and Health Codes which apply to the particular establishment and verbal instructions regarding their use.

(c) All safety committee members shall receive training based upon the type of business activity. At a minimum, members shall receive training regarding:

(A) Hazard identification in the workplace; and

(B) Principles regarding effective accident and incident investigations.

## **Appendix B**

### Resources available for an effective workplace safety effort

#### **Websites**

[www.orosha.org](http://www.orosha.org) Oregon OSHA provides access to training, information, consultation, as well as other information and resources for both employers and employees through this web site.

[www.osha.gov](http://www.osha.gov) Federal website has many resources for general safety programs as well as for more specific areas. This site also provides links to best practices guidelines and resources.

#### **Publications**

These publications apply to almost all County worksites. OR-OSHA has many other excellent materials for specific safety areas such as fleet safety, ergonomics, etc.

- OR-OSHA's Road Map
- Developing your safety and health program – Suggestions for business owners and managers (OSHA #2293)
- Develop and Implement – a guide to OR-OSHA's required programs (OSHA #3341)
- Put it in writing - A guide to Oregon OSHA'S written requirements for plans, procedures, and programs (OSHA #3300)
- Sample Safety Program documents (OSHA #Satsbe2 and Satsbe3)
- Managing Worker Safety and Health (U.S. Department of Labor publication)
- Self Inspection Check List for the Workplace (OSHA #3343)
- Safety Committees for the Real World (OSHA 32341)
- Expecting the Unexpected – What to consider in planning for workplace emergencies (OSHA #3356)
- Job Hazard Analysis (OSHA #3071)
- Hazard Communication – A safe-work-practice guide(OSHA #2034)
- Bloodborne Pathogens (OSHA #2261)

- Violence in the workplace – Creating a workplace violence-prevention program (OSHA #2857)

OR-OSHA provides training at no cost to Oregon employers and employees. They provide training in a number of formats:

- Internet courses which qualify for the Oregon OSHA training Certificate. These classes also provide CEU credits from Chemeketa Community College.
- Class room training throughout the state. The OR-OSHA website has a catalog of the classes available.
- Training materials for employers who wish to do their own training. The list of training materials is extensive and includes materials for the instructor, student, and often overhead presentation slides.
- Consulting services. Again these are offered at no cost to Oregon employers.

**BOGSTAD Deborah L**

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**From:** BOGSTAD Deborah L  
**Sent:** Thursday, January 16, 2003 8:02 AM  
**To:** #ALL PAO STAFF; #ALL DISTRICT 3; #ALL DISTRICT 4; #ALL DISTRICT 2; #ALL DISTRICT 1; #ALL CHAIR'S OFFICE  
**Cc:** ROSENBERGER Judy K; DEVILLIERS Judith M; BARKLEY Helen E; #BUDGET; MOYER Catherine M; KIRK Christine A; PARNELL Gail E; JOHNSON Cecilia; ISLEY Sheila L; 'Christ, Janet'; 'Snider, Ken'  
**Subject:** Changes on this morning's Board meeting agenda!  
**Importance:** High

Suzanne Flynn is home with a bad reaction to a spider bite, so she wants the Board to postpone her briefing on the Risk Management Workplace Safety System audit to January 23. Gina and Stephanie, can you be in the Boardroom right at 9:30 to immediately follow R-1 with your Continued Discussion with Public Affairs Office of Ballot Measure 28 and other State Budget Issues and Public Affairs Office Presentation on the County's 2003 Legislative Agenda please? Thanks!

**Deb Bogstad, Board Clerk**  
**Multnomah County Chair's Office**  
**501 SE Hawthorne Boulevard, Suite 600**  
**Portland, Oregon 97214-3587**  
**(503) 988-3277**  
**<http://www.co.multnomah.or.us/cc>**

1/22/2003