



# MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS  
ROOM 605, COUNTY COURTHOUSE  
1021 S.W. FOURTH AVENUE  
PORTLAND, OREGON 97204

GLADYS McCOY •	Chair	• 248-3308
PAULINE ANDERSON •	District 1	• 248-5220
GRETCHEN KAFOURY •	District 2	• 248-5219
RICK BAUMAN •	District 3	• 248-5217
POLLY CASTERLINE •	District 4	• 248-5213
JANE McGARVIN •	Clerk	• 248-3277

AGENDA OF  
MEETINGS OF THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS  
FOR THE WEEK OF  
January 9 - 13, 1989

Tuesday, January 10, 1988 - 1:30 p.m. - Executive Session Page 2  
 Following the Executive Session - Informal Meeting . . . . Page 2  
 Thursday, January 12, 1989 - 9:00 AM - Formal. . . . . Page 3

NOTE: FORMAL MEETING STARTING TIME CHANGED TO 9:00 AM

Tuesday, January 10, 1989 - 1:30 PM  
Multnomah County Courthouse, Room 602

EXECUTIVE SESSION

EXECUTIVE SESSION - for the purpose of reviewing Litigation allowed under ORS 192.660(1)(h)

IMMEDIATELY FOLLOWING THE EXECUTIVE SESSION, THE FOLLOWING WILL BE HEARD:

INFORMAL

1. Informal Review of Bids and Requests for Proposals:
  - a) Cab & Chassis
  - b) Wetland Interpretive Center - Blue Lake Park
2. Briefing regarding East Burnside Sewer Project - Grant Nelson
3. Review of efforts to accomplish consolidation of management and operation of the Coliseum and other city facilities with the Oregon Convention Center, and a discussion to determine County roles, especially regarding the Expo Center
4. Informal Review of Formal Agenda of January 12

NOTE: CHANGE OF STARTING TIME TO 9:00 AM

Thursday, January 12, 1989, 9:00 AM

Multnomah County Courthouse, Room 602

Formal Agenda

REGULAR AGENDA

BOARD OF COUNTY COMMISSIONERS

- R-1 In the matter of the appointment of Mike Fahey to the Exposition Center Advisory Committee. Term expires 12/91
- R-2 Public Hearing to review applications for County nominations for tourist attractions development funding from the Oregon State Lottery through the Oregon Tourism Alliance

DEPARTMENT OF ENVIRONMENTAL SERVICES

- R-3 Order in the Matter of the Execution of Deed D89322 for Certain Tax Acquired Property to the City of Troutdale, Oregon (Continued from December 29) 89-3
- R-4 Order in the Matter of the Execution of Deed D89323 for Certain Tax Acquired Property to the City of Troutdale, Oregon (Continued from December 29) 89-4
- R-5 Notice of intent to apply for \$40,000 grant from the Oregon State Land & Water Conservation fund for restroom renovation and picnic shelter at Blue Lake Park
- R-6 In the matter of an intergovernmental agreement with the Housing Authority of Portland (HAP) for joint acquisition and rehabilitation of property for conversion to a Residential Training Home

PUBLIC CONTRACT REVIEW BOARD

(Recess as the Board of County Commissioners and reconvene as the Public Contract Review Board)

- R-7 In the Matter of Exempting from Public Bidding a Contract to Screen off the Living Units at Multnomah County Correctional Facility for Security of Staff and Inmates, and Riot Control in Facility 89-6
- R-8 In the Matter of Exempting from Public Bidding the Purchase of Miscellaneous Electrical Supplies to Complete the Installation of Computer Hardware at Information Services Division 89-5

(Recess as the Public Contract Review Board and reconvene as the Board of County Commissioners)

DEPARTMENT OF GENERAL SERVICES

- R-9 Budget Modification DGS #9 reclassifying three positions within Finance Division, 1) reclassify vacant position Finance Technician in Treasury to Finance Specialist 1; 2) reclassify two OA 3 positions in Payroll - 1 position to Finance Technician and 2 positions to Finance Specialist 1

BOARD OF COUNTY COMMISSIONERS

- R-10 Resolution in the Matter of Fair and Equal Treatment for all Citizens (This matter will be heard at 10:00 AM) 89-2

ORDINANCES - NONDEPARTMENTAL

- R-11 First Reading - An Ordinance establishing a recycling program within County Facilities
- R-12 First Reading - An Ordinance concerning the organization and functions of the Office of County Counsel and repealing MCC 2.30.450(H)

THE FOLLOWING INFORMAL BRIEFING WILL IMMEDIATELY FOLLOW THE FORMAL MEETING:

1. Briefing concerning National & State Juvenile Justice Reform issues related to the Downsizing of MacLaren School to develop community based programs for "gang related youth" as an alternative to adding 70 new beds to MacLaren

Thursday Meetings of the Multnomah County Board of Commissioners are recorded and can be seen at the following times:

Thursday, 10:00 PM, Channel 11 for East and West side subscribers

Friday, 6:00 P.M., Channel 27 for Rogers Multnomah East subscribers

Saturday 12:00 PM, Channel 21 for East Portland and East County subscribers

0498C.7-10

REVISED TUESDAY, JANUARY 10, 1988

AGENDA

Tuesday, January 10, 1988

9:30 AM

Room 602 County Courthouse

1. Review of efforts to accomplish consolidation of management and operation of the Coliseum and other city facilities with the Oregon Convention Center, and a discussion to determine County roles, especially regarding the Expo Center
2. Legislative Briefing - Fred Neal, Intergovernmental Relations Officer

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Tuesday, January 10, 1989 - 1:30 PM

Multnomah County Courthouse, Room 602

EXECUTIVE SESSION

EXECUTIVE SESSION - for the purpose of reviewing Litigation allowed under ORS 192.660(1)(h)

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INFORMAL

1. Informal Review of Bids and Requests for Proposals:
  - a) Cab & Chassis
  - b) Wetland Interpretive Center - Blue Lake Park
2. Briefing regarding East Burnside Sewer Project - Grant Nelson
3. Informal Review of Formal Agenda of January 12

BOARDS & COMMISSION APPOINTMENTS

86  
~~548162~~



January 12, 1989

In the matter of the appointment of Mike Fahey to)  
the Exposition Center Advisory Committee; term )  
expires 12/91 R-1 )

Upon motion of Commissioner Anderson, duly seconded by  
Commissioner Casterline, it is unanimously

ORDERED that said appointment be confirmed.

Rec'd  
6/3/89  
JD

1/2/89  
R-1



# MULTNOMAH COUNTY OREGON

# BOARDS AND COMMISSIONS

## INTEREST FORM FOR BOARDS AND COMMISSIONS

In order for the County Executive to more thoroughly assess the qualifications of persons interested in serving on a Multnomah County board or commission, you are requested to fill out this interest form as completely as possible. You are encouraged to attach or enclose supplemental information or a resume which further details your involvement in volunteer activities, public affairs, civic services, published writing, affiliations, etc.

A. Please list, in order of priority, any Multnomah County boards/commissions on which you would be interested in serving. (See attached list)

EXPOSITION Center Advisory Committee

B. Name Michael T. FAHEY, SR

Address 6817 N. ARMOUR

City PORTLAND State OREGON Zip 97203

Do you live in \_\_\_\_\_ unincorporated Multnomah County or \_\_\_\_\_ a city within Multnomah County.

Home Phone 286-1898

C. Current Employer United Brotherhood of CARPENTERS - SHIPWRIGHTS #611

Address 2225 N. Lombard - P.O. Box 17358

City PORTLAND State OREGON Zip 97217

Your Job Title FINANCIAL Sec. - BUSINESS Mgr.

Work Phone 283-6039 (Ext) -

Is your place of employment located in Multnomah County? Yes  No

D. Previous Employers Dates Job Title

N.W. MARINE IRON works 3-77-8-83 SHIP FOREMAN

Dillingham SHIP Repair 75-76 SHIPWRIGHT

MALANNEY Roofing Co 3-10-65-5-75 SHIPPING LEADMAN

GLADYS McCOY, MULTNOMAH COUNTY CHAIR

CONTACT:

1021 SW 4TH, ROOM 134

PORTLAND, OREGON 97204

(503) 248-3308

E. Please list all current and past volunteer/civic activities.

Name of Organization	Dates	Responsibilities
CARPENTERS FOOD BANK	10-83-Present	Order food, Arrange Transportation raise money
Portsmouth Little League	1979 & 1985	

F. Please list all post-secondary school education.

Name of School	Dates	Degree/Course of Study
Lewis & Clark	1984	LABOR LAW
George Meany Center	1985	" "
AFL CIO	1981	" "

G. Please list the name, address and telephone numbers of two people who may be contacted as references who know about your interests and qualifications to serve on a Multnomah County board/commission.

IRJ Fletcher	OREGON AFL-CIO
Ron Fortune	N.W. OREGON LABOR Council

H. Please list potential conflicts of interest between private life and public service which might result from service on a board/commission.

NONE

I. Affirmative Action Information

Male - IRISH  
sex / racial ethnic background

birth date: Month 10 Day 2 Year 1946

My signature affirms that all information is true to the best of my knowledge and that I understand that any misstatement of fact or misrepresentation of credentials may result in this application being disqualified from further consideration or, subsequent to my appointment to a board/commission, may result in my dismissal.

Signature Mural T. J. J. J. Date 6-2-87

86-87,88  
5162



# MULTNOMAH COUNTY OREGON

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JANE McGARVIN •	Clerk	• 248-3277

January 12, 1989

Ms. Gladys McCoy, Chair of the Board  
1021 SW Fourth, Room 134  
Portland, OR

Dear Ms. McCoy:

Be it remembered, that at a meeting of the Board of County Commissioners held January 12, 1989, the following action was taken:

Public Hearing to review applications for County )  
 nominations for tourist attractions development )  
 funding from the Oregon State Lottery through the )  
 Oregon Tourism Alliance R-2 )

Fred Neal, Intergovernmental Relations Officer, explained this hearing is the first for applications submitted by community interest groups, private non-profit, and others for attractions development for tourism within Multnomah County. Presentations by applicants will be heard this morning, and then a screening committee will review the applications, and make recommendations to the Board; the Board will submit nominations to Oregon Tourism Alliance who will select final attractions choices for recommendation to the Governor's Economic Development Committee to consider for funding from the Oregon State Lottery. It is not yet clear whether Multnomah, Clackamas and Washington Counties will be eligible for capital project funding because of previous funding extended to the Region for the Oregon Convention Center. He noted the Board has the revised and updated version of criteria to be used by the Oregon Tourism Alliance for final selection of attractions. He said the goal is to strengthen regional multi-county tourism development; to link counties together to provide and enhance a balance of tourism attractions; and to develop and promote combined marketing practices. He discussed criteria to be used for funding projects. In response to Commissioner Anderson's question, he said presentations would only be heard today, and that Board nomination recommendations will be determined in early February. The screening committee will meet January 18, and forward recommendations to the Board before the middle of February.

Commissioner McCoy asked about the process for selection of the screening committee.

Laurence Kressel, County Counsel, advised the process for selection would be the same as that of any advisory board. The Board will make recommendations to the Chair who will make final committee appointments. He read the section from the Charter which applies to Boards and Commissions appointments.

Commissioner McCoy said she has a list of committee recommendations for the committee from all jurisdictions and agencies, so the process can now move forward. At this time she limited presentations to five minutes.

A hearing was held, and the following made presentations to the Board: a) Gussie McRobert, Historic Restoration Chair - Gresham Historical Society, and Mayor, City of Gresham, Linnemann Junction Vintage Railway Station Project; b) Michael C. Houck, Audubon Society of Portland - Metropolitan Wildlife Refuge System; c) Les Buell, Hayden Corporation president and Oaks Park Association president - Oaks Park Improvements; d) Stan Link, Oregon Sports Hall of Fame Executive Director - Enhancement of Oregon Sports Hall of Fame; e) Marilynne Eichinger, OMSI Director - East Side OMSI Center; f) Judy Shields, City of Portland Bureau of Community Development - American Indian Cultural Center; g) Terry Parker, Pacific Northwest Chapter of the National Railway Society - Northwest Rail Museum and Restoration of Steam Train; and h) Bill Naito, Mayor's Heritage Committee - 1992 Flotilla (Mini World's Fair).

At this time, testimony for this matter was recessed until the following matter could be heard.

\* \* \* \* \*

The following testimony was received later in the meeting.

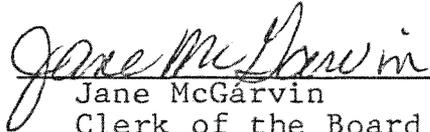
Commissioner McCoy noted there are three more presentations to be given which are as follows: i) Bob Siton, Acting Director of Artists Initiative for a Contemporary Art Collection, and Mel Katz - Artist Initiated, Artist Controlled Collection of Contemporary Art; j) Mary Lindhorst, Gresham Area Chamber of Commerce - Grants for Marketing the Jazz and Salmon Festivals, and to print the Gresham Chamber Brochure; and k) Ed Imel - Northwest Rail Museum at Union Station.

Chris Moir, Commissioner Casterline staff, reported there will be \$2.6 or 2.7 million dollars available for the entire eight county region; and in answer to Commissioners questions, said that

funding will be for a biennium. She added that even though the County received funding for the Oregon Convention Center last biennium, it is hoped funding for Multnomah County will continue for the next biennium.

Very truly yours,

BOARD OF COUNTY COMMISSIONERS

By   
Jane McGarvin  
Clerk of the Board

jm  
cc: Commissioner Casterline

DATE SUBMITTED January 5, 1989

(For Clerk's Use)

Meeting Date 1/12/89

Agenda No. # R-2

REQUEST FOR PLACEMENT ON THE AGENDA

Subject: Oregon Tourism Alliance

Informal Only\* \_\_\_\_\_  
(Date)

Formal Only January 12, 1989  
(Date)

DEPARTMENT Board of County Commissioner DIVISION \_\_\_\_\_

CONTACT Chris Moir TELEPHONE 248-5213

\*NAME(S) OF PERSON MAKING PRESENTATION TO BOARD Chris Moir and OTA Applications

BRIEF SUMMARY Should include other alternatives explored, if applicable, and clear statement of rationale for the action requested.

Hearing to review applications for County nominations for tourist attractions development funding from the Oregon State Lottery through the Oregon Tourism Alliance.

(IF ADDITIONAL SPACE IS NEEDED, PLEASE USE REVERSE SIDE)

ACTION REQUESTED:

INFORMATION ONLY     PRELIMINARY APPROVAL     POLICY DIRECTION     APPROVAL

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA 1 Hour Time Certain 9:00am/ 10:00am

IMPACT:

PERSONNEL  
 FISCAL/BUDGETARY  
     General Fund  
 Other \_\_\_\_\_

SIGNATURES:

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: Gladys McCoy

BUDGET / PERSONNEL \_\_\_\_\_

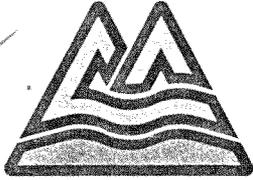
COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) \_\_\_\_\_

OTHER \_\_\_\_\_  
(Purchasing, Facilities Management, etc.)

BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY  
OREGON  
1989 JAN - 5 AM 5:30

NOTE: If requesting unanimous consent, state situation requiring emergency action on back.

88  
5162



# MULTNOMAH COUNTY OREGON

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RICK BAUMAN • District 3 • 248-5217  
POLLY CASTERLINE • District 4 • 248-5213  
JANE MCGARVIN • Clerk • 248-3277

January 12, 1989

Mr. Paul Yarborough, Director  
Department of Environmental Services  
2115 SE Morrison  
Portland, OR

Dear Mr. Yarborough:

Be it remembered, that at a meeting of the Board of County Commissioners held January 12, 1989, the following action was taken:

In the Matter of the Execution of Deed D89322 for)  
Certain Tax Acquired Property to the City of ) O R D E R  
Troutdale, Oregon (Continued from December 29) ) #89-3  
R-3 )

Upon motion of Commissioner Casterline, duly seconded by Commissioner Anderson, it is unanimously

ORDERED that said Order be approved.

Very truly yours,

BOARD OF COUNTY COMMISSIONERS

By Jane McGarvin  
Jane McGarvin  
Clerk of the Board

jm  
cc: Tax Title

DATE SUBMITTED \_\_\_\_\_

(For Clerk's Use)

Meeting Date 12/8/88

Agenda No. R-4 + R-5

REQUEST FOR PLACEMENT ON THE AGENDA

*cont to 12/29/88  
no mtg so rescheduled  
Jan - 12/188 R-3 + R-4*

SUBJECT: Transfer of Property

Informal Only\* \_\_\_\_\_

Formal Only \_\_\_\_\_

DEPARTMENT Environmental Services

DIVISION Tax Title

CONTACT Larry Baxter

TELEPHONE 248-3590

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

**BRIEF SUMMARY** Should include other alternatives explored, if applicable, and clear statement of rationale for the action requested.

1. Request approval of transfer of two tax foreclosed properties as provided by ORS 275.330 and Multnomah County Ordinance 577, Section 5, as requested by Mr. Sam K. Cox, Mayor of the City of Troutdale.
2. Tax Lot #129, Sec 25, 1N 3E, was deeded to the County on November 3, 1986 for delinquent taxes and interest of \$12.21. Tax Lot #193, Sec 25, 1N 3E, was deeded on April 2, 1985 for delinquent taxes and interest of \$140.86.
3. After holding the hearing as required by Ordinance 577, Multnomah County may approve the transfer and be relieved of the obligation to account for the payment of any taxes, liens or assessments that have been levied against the lands by any taxing agency, district or municipality authorized to levy taxes.

(IF ADDITIONAL SPACE IS NEEDED, PLEASE USE REVERSE SIDE)

ACTION REQUESTED:

*89-384*  
*Order mig to Tax Title*  
*LARRY BAXTER 2/16/89*  
*Ret-*

INFORMATION ONLY  PRELIMINARY APPROVAL  POLICY DIRECTION  APPROVAL

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA 15 minutes

*sent again 3/14/89*

IMPACT:

Note:

PERSONNEL

12/22/88 Both Assistant County Counsels John DuBay/Paul Mackey stated that since the hearing was advertised ~~on~~ 12/29/88, it cannot be held earlier, therefore, it must be re-advertised. Larry Baxter, Tax Title Office rescheduled the matter January 12, 1989.

FISCAL/BUDGETARY

General Fund

Other Tax Title

*Bevera E. Jones*  
Asst. Clerk of the Board

SIGNATURES:

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: \_\_\_\_\_

*[Signature]*

BUDGET/PERSONNEL: \_\_\_\_\_

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) \_\_\_\_\_

*[Signature]*  
*[Signature]*

OTHER \_\_\_\_\_  
(Purchasing, Facilities Management, etc.)

NOTE: If requesting unanimous consent, state situation requiring emergency action on back.

DATE SUBMITTED \_\_\_\_\_

(For Clerk's Use)

Meeting Date 12/8/88

Agenda No. R4 & R5

REQUEST FOR PLACEMENT ON THE AGENDA

*Cont. @ 12/29/88  
No neg - so rescheduled  
to Jan 12<sup>th</sup>*

SUBJECT: Transfer of Property

Informal Only\* \_\_\_\_\_

Formal Only \_\_\_\_\_

DEPARTMENT Environmental Services

DIVISION Tax Title

CONTACT Larry Baxter

TELEPHONE 248-3590

\*NAME(s) OF PERSON MAKING PRESENTATION TO BOARD Larry Baxter

**BRIEF SUMMARY** Should include other alternatives explored, if applicable, and clear statement of rationale for the action requested.

1. Request approval of transfer of two tax foreclosed properties as provided by ORS 275.330 and Multnomah County Ordinance 577, Section 5, as requested by Mr. Sam K. Cox, Mayor of the City of Troutdale.
2. Tax Lot #129, Sec 25, 1N 3E, was deeded to the County on November 3, 1986 for delinquent taxes and interest of \$12.21. Tax Lot #193, Sec 25, 1N 3E, was deeded on April 2, 1985 for delinquent taxes and interest of \$140.86.
3. After holding the hearing as required by Ordinance 577, Multnomah County may approve the transfer and be relieved of the obligation to account for the payment of any taxes, liens or assessments that have been levied against the lands by any taxing agency, district or municipality authorized to levy taxes.

(IF ADDITIONAL SPACE IS NEEDED, PLEASE USE REVERSE SIDE)

**ACTION REQUESTED:**

INFORMATION ONLY  PRELIMINARY APPROVAL  POLICY DIRECTION  APPROVAL

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA 15 minutes

**IMPACT:**

PERSONNEL

FISCAL/BUDGETARY

General Fund

Other Tax Title

**SIGNATURES:**

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: *Paul G. ...*

BUDGET/PERSONNEL: \_\_\_\_\_

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) *J. D. Bay*

OTHER *F. ... G. ...*  
(Purchasing, Facilities Management, etc.)

**NOTE:** If requesting unanimous consent, state situation requiring emergency action on back.



# CITY OF TROUTDALE

Oct. 11, 1988 LPU

SEPTEMBER 12, 1988

SEP 16 1988

Polly Casterline, Commissioner  
MULTNOMAH COUNTY  
1021 S.W. Fourth Avenue  
Room 605  
Portland, OR 97204

RE: JACKSON PARK ROAD / RIGHT-OF-WAY ATTAINMENT

The City of Troutdale maintains and operates a roadway complete with subsurface utilities within the limits depicted on the attached exhibits.

To our surprise, it was recently learned that the City is not in possession of the right-of-way for this road..... Apparently Multnomah County secured the two applicable parcels of property through foreclosures in 1985 and 1986.

Both of the tax lots in question affect our ability to maintain and operate the road, the water and the sewer utilities below the parcel. For this reason, the City would be most appreciative if Multnomah County would consider dedicating these properties to the City of Troutdale as road right-of-way.

Included is a complete packet of information on each of the parcels together with, as mentioned earlier, an exhibit relating to them. The City looks forward to working with you to achieve this dedication and I ask that you not hesitate to call me or City staff regarding this matter at your earliest convenience.

Thank you.

Sincerely,

CITY OF TROUTDALE

*Sam K Cox*

Sam K. Cox, Mayor

cc: Pam Christian  
Greg Wilder  
Leslie Hauer

CS61:27

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

In the Matter of the Execution  
of Deed D89322 for Certain Tax  
Acquired Property to the

CITY OF TROUTDALE, OREGON

ORDER  
#89-3

It appearing that heretofore Multnomah County acquired the real property hereinafter described through the foreclosure of liens for delinquent taxes, that under the provisions of ORS 275.330 said property may be conveyed to an incorporated city for public use, and that

The CITY OF TROUTDALE, OREGON, has requested that it be granted a deed to the property for use as right-of-way, and

It further appearing that after hearing objections to the transfer of the property as by law required, it is for the best interests of the County that said deed be given;

NOW, THEREFORE, it is hereby ORDERED that the Chair of the Multnomah County Board of County Commissioners execute a deed conveying to the CITY OF TROUTDALE, OREGON the following described real property, situated in the County of Multnomah, State of Oregon:

SEC 25, 1N 3E  
TL #129  
(1985 ASSESSOR'S MAP)

COMMENCING AT A CONCRETE MONUMENT WITH BRASS CAP MARKED "WHITE STONE", SAID WHITE STONE IS A DEED REFERENCE WHICH IS TEN FEET EASTERLY FROM A LARGE BLACK STONE AS SHOWN ON MAP TITLED "SURVEY OF THE A. E. JACKSON PROPERTY" SURVEYED BY O. G. PORTER IN OCTOBER 1922 AND FILED AT THE COUNTY SURVEYORS OFFICE UNDER NUMBER G 4-27; THENCE N 57° 23' 47" E 120.00 FEET TO THE MOST WESTERLY CORNER OF THE MOST NORTHERLY TRACT OF SAID PORTER SURVEY; THENCE ALONG THE SOUTHWESTERLY LINE OF SAID NORTHERLY TRACT S 35° 45' 09" E 159.99 FEET TO AN ANGLE POINT; THENCE CONTINUING ALONG SAID SOUTHWESTERLY LINE S 71° 28' 44" E 44.63 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN TO BE DESCRIBED; THENCE S 43° 19' 03" E 41.32 FEET; THENCE S 51° 40' 34" E 55 FEET MORE OR LESS TO A POINT IN THE SOUTHEASTERLY LINE OF THAT CERTAIN TRACT OF LAND DESCRIBED AS PARCEL I IN WARRANTY DEED TO ORLIN B. HUSTON, ET UX, AND RECORDED ON MAY 22, 1959, IN BOOK 1956, PAGE 408, DEED RECORDS, MULTNOMAH COUNTY; THENCE NORTHEASTERLY ALONG SAID HUSTON TRACT 50 FEET MORE OR LESS TO THE SOUTHWESTERLY LINE OF THE MOST NORTHERLY TRACT OF SAID PORTER SURVEY; THENCE ALONG SAID SOUTHWESTERLY LINE N 71° 28' 44" W 112.03 FEET TO THE POINT OF BEGINNING.

Providing that such property shall be used and continue to be used by the CITY OF TROUTDALE, OREGON for a public purpose in the State of Oregon and should the property cease to be used for a public purpose, title shall revert to the Multnomah County.

Dated this 12th day of January 1988, 1989

BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY, OREGON

*Gladys McCoy*  
Gladys McCoy  
Multnomah County Chair

APPROVED, AS TO FORM:  
Laurence Kressel, County Counsel  
for Multnomah County, Oregon

By *Paul Macey*

Journal 162

Page

Entered January 12, 1989

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to CITY OF TROUTDALE, OREGON, Grantee the following described real property, situated in the County of Multnomah, State of Oregon:

SEC 25, 1N 3E  
TL #129 (1985 ASSESSOR'S MAP)

COMMENCING AT A CONCRETE MONUMENT WITH BRASS CAP MARKED "WHITE STONE", SAID WHITE STONE IS A DEED REFERENCE WHICH IS TEN FEET EASTERLY FROM A LARGE BLACK STONE AS SHOWN ON MAP TITLED "SURVEY OF THE A. E. JACKSON PROPERTY" SURVEYED BY O. G. PORTER IN OCTOBER 1922 AND FILED AT THE COUNTY SURVEYORS OFFICE UNDER NUMBER G 4-27; THENCE N 57° 23' 47" E 120.00 FEET TO THE MOST WESTERLY CORNER OF THE MOST NORTHERLY TRACT OF SAID PORTER SURVEY; THENCE ALONG THE SOUTHWESTERLY LINE OF SAID NORTHERLY TRACT S 35° 45' 09" E 159.99 FEET TO AN ANGLE POINT; THENCE CONTINUING ALONG SAID SOUTHWESTERLY LINE S 71° 28' 44" E 44.63 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN TO BE DESCRIBED; THENCE S 43° 19' 03" E 41.32 FEET; THENCE S 51° 40' 34" E 55 FEET MORE OR LESS TO A POINT IN THE SOUTHEASTERLY LINE OF THAT CERTAIN TRACT OF LAND DESCRIBED AS PARCEL I IN WARRANTY DEED TO ORLIN B. HUSTON, ET UX, AND RECORDED ON MAY 22, 1959, IN BOOK 1956, PAGE 408, DEED RECORDS, MULTNOMAH COUNTY; THENCE NORTHEASTERLY ALONG SAID HUSTON TRACT 50 FEET MORE OR LESS TO THE SOUTHWESTERLY LINE OF THE MOST NORTHERLY TRACT OF SAID PORTER SURVEY; THENCE ALONG SAID SOUTHWESTERLY LINE N 71° 28' 44" W 112.03 FEET TO THE POINT OF BEGINNING.

Providing that such property shall be used and continue to be used by the CITY OF TROUTDALE, OREGON for a public purpose in the State of Oregon and should the property cease to be used for a public purpose, title shall revert to the Multnomah County.

The true and actual consideration paid for this transfer, stated in terms of dollars is \$0.00.

This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses.

Until a change is requested, all tax statements shall be sent to the following address:

104 SE KIBLING  
TROUTDALE, OR 97060-2099

IN WITNESS WHEREOF, MULTNOMAH COUNTY has caused these presents to be executed by the Chair of the Multnomah County Board of County Commissioners this 12th day of January, 1989, by authority of an Order of said Board of County Commissioners heretofore entered of record.



BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY, OREGON

*Gladys McCoy*  
Gladys McCoy  
Multnomah County Chair

APPROVED AS TO FORM:  
Laurence Kressel, County Counsel  
for Multnomah County, Oregon

By *Laurence Kressel*

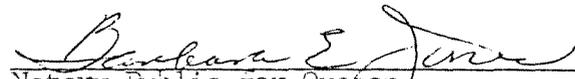
DEED APPROVED:  
F. Wayne George, Director  
Facilities and Property Management Division

By *F. Wayne George*

STATE OF OREGON            )  
                                  )  
County of MULTNOMAH        ) ss.

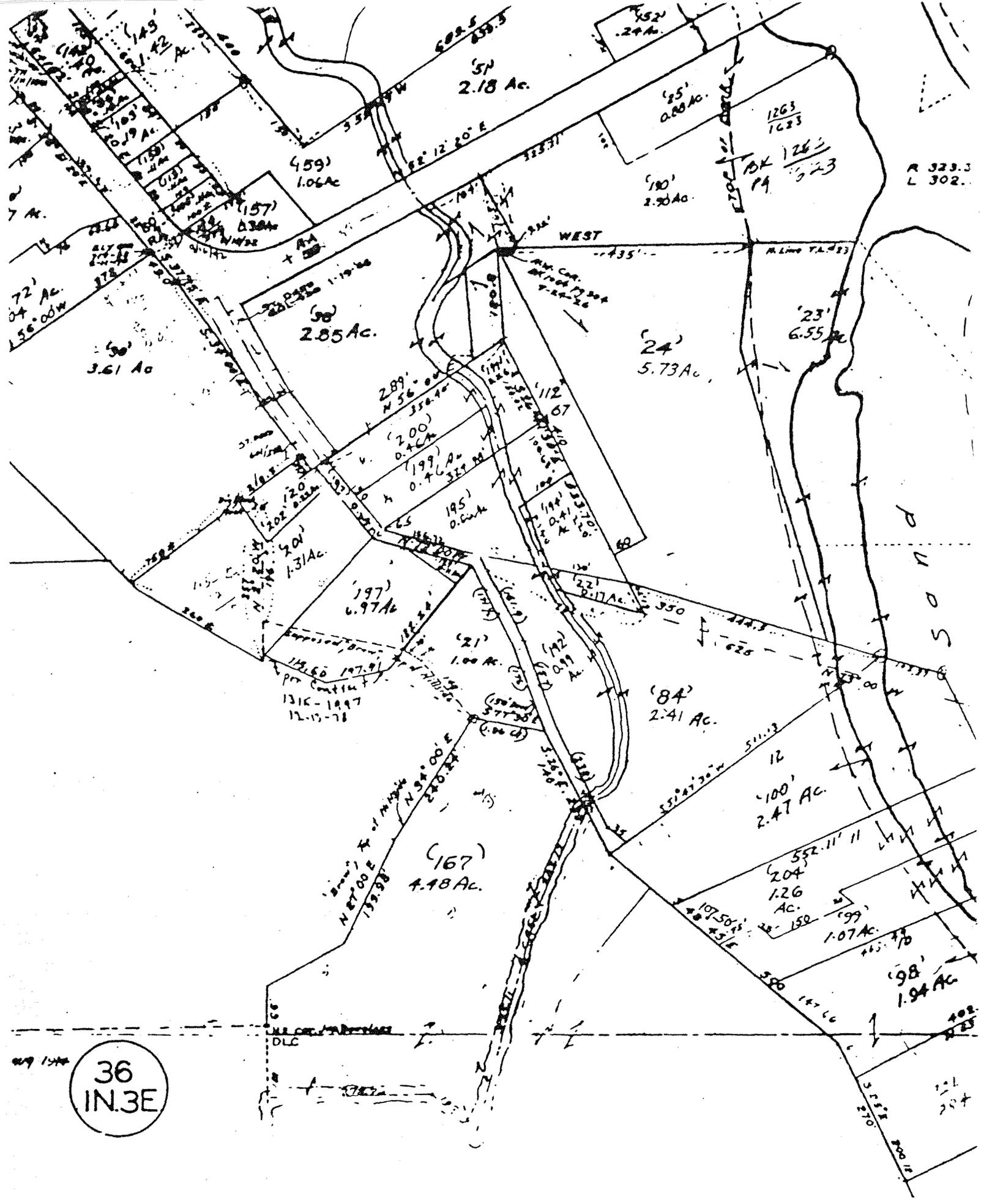
On this 12th day of January, 1989, A.D., before me, a Notary Public in and for the County and State, personally appeared GLADYS McCOY, to me personally known, County Chair of Multnomah County, Oregon, to sign official County documents and that the seal affixed to said instrument was signed and sealed on behalf of said County by authority of its Board of County Commissioners, and said GLADYS McCOY acknowledged said instrument to be the free act and deed of said County.

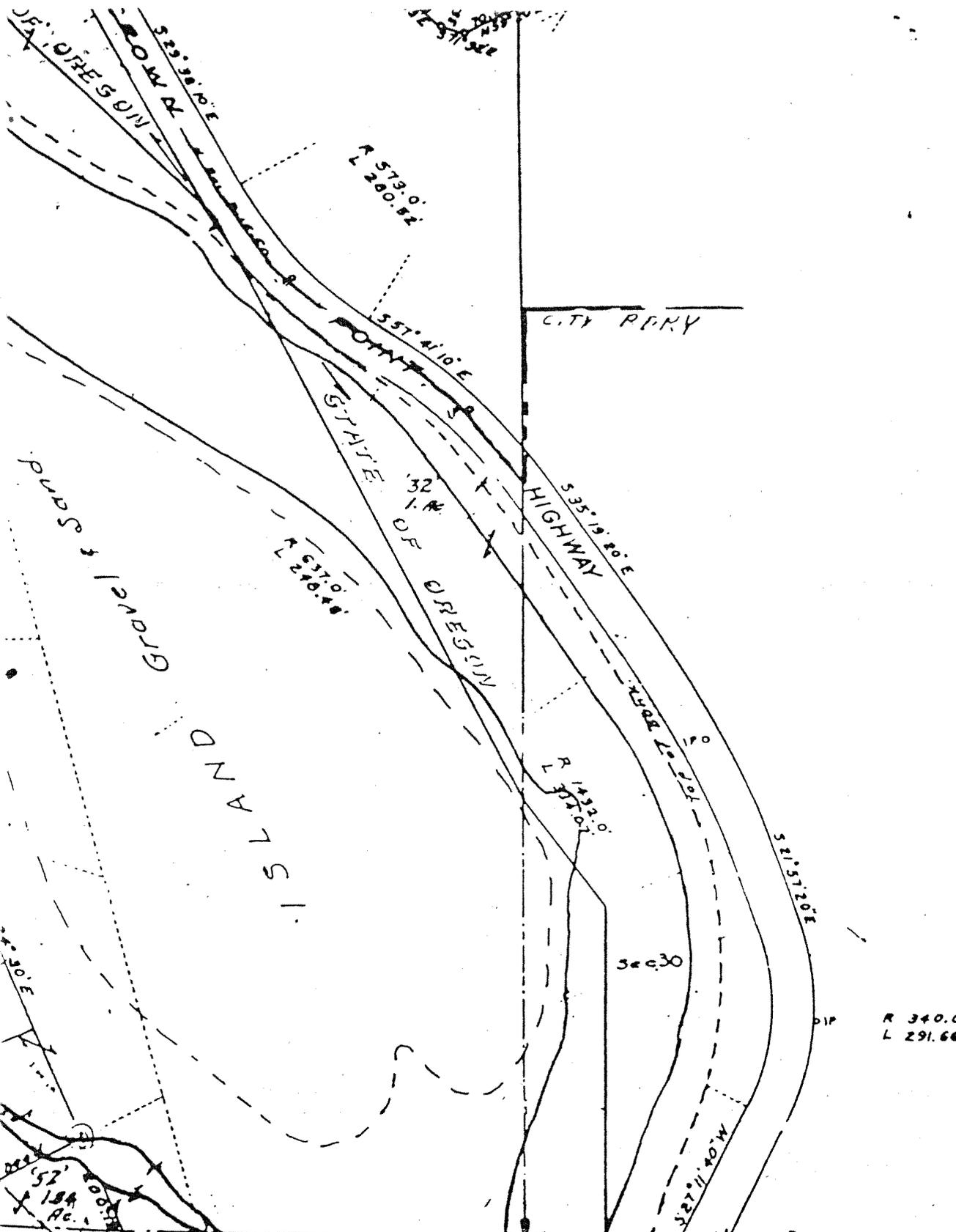
IN TESTIMONY WHEREOF, I have hereunto set my hand, affixed my official seal, the day and year first in this, my certificate, written.

  
Notary Public for Oregon

(SEAL)

My Commission Expires: 1/06/90





**25-1N-3E**

600-46

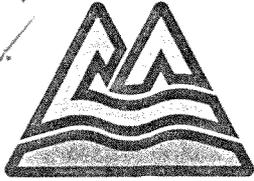
**1987**





TAX TITLE

88  
J162



# MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS  
ROOM 605, COUNTY COURTHOUSE  
1021 S.W. FOURTH AVENUE  
PORTLAND, OREGON 97204

GLADYS McCOY	• Chair	• 248-3308
PAULINE ANDERSON	• District 1	• 248-5220
GRETCHEN KAFOURY	• District 2	• 248-5219
RICK BAUMAN	• District 3	• 248-5217
POLLY CASTERLINE	• District 4	• 248-5213
JANE McGARVIN	• Clerk	• 248-3277

January 12, 1989

Mr. Paul Yarborough, Director  
Department of Environmental Services  
2115 SE Morrison  
Portland, OR

Dear Mr. Yarborough:

Be it remembered, that at a meeting of the Board of County Commissioners held January 12, 1989, the following action was taken:

In the Matter of the Execution of Deed D89323 for)	
Certain Tax Acquired Property to the City of )	O R D E R
Troutdale, Oregon (Continued from December 29) )	#89-4
R-4 )	

Upon motion of Commissioner Casterline, duly seconded by Commissioner Anderson, it is unanimously

ORDERED that said Order be approved.

Very truly yours,

BOARD OF COUNTY COMMISSIONERS

By Jane McGarvin  
Jane McGarvin  
Clerk of the Board

jm  
cc: Tax Title

DATE SUBMITTED \_\_\_\_\_

(For Clerk's Use)  
Meeting Date 12/18/88  
Agenda No. 9-4

REQUEST FOR PLACEMENT ON THE AGENDA

SUBJECT: Transfer of Property

Informal Only\* \_\_\_\_\_ Formal Only \_\_\_\_\_

DEPARTMENT Environmental Services DIVISION Tax Title

CONTACT Larry Baxter TELEPHONE 248-3590

\*NAME(s) OF PERSON MAKING PRESENTATION TO BOARD Larry Baxter

**BRIEF SUMMARY** Should include other alternatives explored, if applicable, and clear statement of rationale for the action requested.

1. Request approval of transfer of two tax foreclosed properties as provided by ORS 275.330 and Multnomah County Ordinance 577, Section 5, as requested by Mr. Sam K. Cox, Mayor of the City of Troutdale.
2. Tax Lot #129, Sec 25, 1N 3E, was deeded to the County on November 3, 1986 for delinquent taxes and interest of \$12.21. Tax Lot #193, Sec 25, 1N 3E, was deeded on April 2, 1985 for delinquent taxes and interest of \$140.86.
3. After holding the hearing as required by Ordinance 577, Multnomah County may approve the transfer and be relieved of the obligation to account for the payment of any taxes, liens or assessments that have been levied against the lands by any taxing agency, district or municipality authorized to levy taxes.

(IF ADDITIONAL SPACE IS NEEDED, PLEASE USE REVERSE SIDE)

**ACTION REQUESTED:**

INFORMATION ONLY  PRELIMINARY APPROVAL  POLICY DIRECTION  APPROVAL

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA 15 minutes

**IMPACT:**

PERSONNEL

FISCAL/BUDGETARY

General Fund

Other Tax Title

*Order  
orig deeded  
to Baxter 3/19/89  
Tax Title  
89-4*

BOARD OF  
COUNTY COMMISSIONERS  
MULTNOMAH COUNTY  
OREGON  
1988 NOV 29 PM 2:20

**SIGNATURES:**

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: [Signature]

BUDGET/PERSONNEL: \_\_\_\_\_

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) [Signature]

OTHER [Signature]  
(Purchasing, Facilities Management, etc.)

**NOTE:** If requesting unanimous consent, state situation requiring emergency action on back.



# CITY OF TROUTDALE

Oct. 11, 1988 LFLU

SEPTEMBER 12, 1988

SEP 16 1988

Polly Casterline, Commissioner  
MULTNOMAH COUNTY  
1021 S.W. Fourth Avenue  
Room 605  
Portland, OR 97204

RE: JACKSON PARK ROAD / RIGHT-OF-WAY ATTAINMENT

The City of Troutdale maintains and operates a roadway complete with subsurface utilities within the limits depicted on the attached exhibits.

To our surprise, it was recently learned that the City is not in possession of the right-of-way for this road..... Apparently Multnomah County secured the two applicable parcels of property through foreclosures in 1985 and 1986.

Both of the tax lots in question affect our ability to maintain and operate the road, the water and the sewer utilities below the parcel. For this reason, the City would be most appreciative if Multnomah County would consider dedicating these properties to the City of Troutdale as road right-of-way.

Included is a complete packet of information on each of the parcels together with, as mentioned earlier, an exhibit relating to them. The City looks forward to working with you to achieve this dedication and I ask that you not hesitate to call me or City staff regarding this matter at your earliest convenience.

Thank you.

Sincerely,

CITY OF TROUTDALE

Sam K. Cox, Mayor

cc: Pam Christian  
Greg Wilder  
Leslie Hauer

CS61:27

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

In the Matter of the Execution  
of Deed D89323 for Certain Tax  
Acquired Property to the

CITY OF TROUTDALE, OREGON

ORDER  
#89-4

It appearing that heretofore Multnomah County acquired the real property hereinafter described through the foreclosure of liens for delinquent taxes, that under the provisions of ORS 275.330 said property may be conveyed to an incorporated city for public use, and that

The CITY OF TROUTDALE, OREGON, has requested that it be granted a deed to the property for use as right-of-way, and

It further appearing that after hearing objections to the transfer of the property as by law required, it is for the best interests of the County that said deed be given;

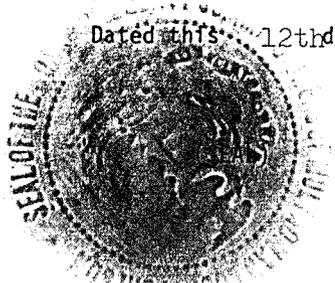
NOW, THEREFORE, it is hereby ORDERED that the Chair of the Multnomah County Board of County Commissioners execute a deed conveying to the CITY OF TROUTDALE, OREGON the following described real property, situated in the County of Multnomah, State of Oregon:

SEC 25, 1N 3E  
TL # 193  
(1986 ASSESSOR'S MAP)

COMMENCING AT A POINT 10.00 FEET EASTERLY FROM A LARGE BLACK ROCK AS DESCRIBED IN THE DEED CONVEYED TO W. P. PELTON, RECORDED IN BOOK 85 AT PAGE 440, DEED RECORDS; THENCE N 55° 50' 30" E 120.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE S 37° 31' E 159.99 FEET TO A POINT; THENCE S 73° 11' 30" E 156.72 FEET; THENCE S 40° 47' E 185.58 FEET; THENCE S 18° 00' E 157.00 FEET; THENCE S 26° 00' E 238.00 FEET; THENCE N 51° 47' 30" E 35.30 FEET TO THE SOUTHWEST CORNER OF THAT TRACT CONVEYED TO GEORGE J. AND GERTRUDE PERKINS IN BOOK 626 PAGE 370 ON JULY 25, 1941; THENCE ALONG THE WEST LINE OF SAID PERKINS TRACT N 48° 45' W 35 FEET; THENCE N 26° 00' W 238 FEET; THENCE N 18° 00' W 157 FEET; THENCE N 40° 47' W 161.9 FEET TO A POINT IN THE MOST NORTHERLY SOUTH LINE OF THAT TRACT CONVEYED TO HERMAN BLASER BY QUIT CLAIM DEED RECORDED IN BOOK 795 PAGE 544 ON NOVEMBER 23, 1943; THENCE N 73° 11' 30" W 156.72 FEET; THENCE N 37° 31' W 156.50 FEET TO THE NORTHWEST CORNER OF SAID BLASER TRACT; THENCE S 55° 50' 30" W 20.00 FEET TO THE TRUE POINT OF BEGINNING.

Providing that such property shall be used and continue to be used by the CITY OF TROUTDALE, OREGON for a public purpose in the State of Oregon and should the property cease to be used for a public purpose, title shall revert to the Multnomah County.

Dated this 12th day of January 1989



BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY, OREGON

*Gladys McCoy*  
Gladys McCoy  
Multnomah County Chair

APPROVED AS TO FORM:  
Laurence Kessel, County Counsel  
for Multnomah County, Oregon

By *Paul Mackey*

Journal 162

Page

Entered January 12, 1989

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to CITY OF TROUTDALE, OREGON, Grantee the following described real property, situated in the County of Multnomah, State of Oregon:

SEC 25, 1N 3E  
TL # 193 (1986 ASSESSOR'S MAP)

COMMENCING AT A POINT 10.00 FEET EASTERLY FROM A LARGE BLACK ROCK AS DESCRIBED IN THE DEED CONVEYED TO W. P. PELTON, RECORDED IN BOOK 85 AT PAGE 440, DEED RECORDS; THENCE N 55° 50' 30" E 120.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE S 37° 31' E 159.99 FEET TO A POINT; THENCE S 73° 11' 30" E 156.72 FEET; THENCE S 40° 47' E 185.58 FEET; THENCE S 18° 00' E 157.00 FEET; THENCE S 26° 00' E 238.00 FEET; THENCE N 51° 47' 30" E 35.30 FEET TO THE SOUTHWEST CORNER OF THAT TRACT CONVEYED TO GEORGE J. AND GERTRUDE PERKINS IN BOOK 626 PAGE 370 ON JULY 25, 1941; THENCE ALONG THE WEST LINE OF SAID PERKINS TRACT N 48° 45' W 35 FEET; THENCE N 26° 00' W 238 FEET; THENCE N 18° 00' W 157 FEET; THENCE N 40° 47' W 161.9 FEET TO A POINT IN THE MOST NORTHERLY SOUTH LINE OF THAT TRACT CONVEYED TO HERMAN BLASER BY QUIT CLAIM DEED RECORDED IN BOOK 795 PAGE 544 ON NOVEMBER 23, 1943; THENCE N 73° 11' 30" W 156.72 FEET; THENCE N 37° 31' W 156.50 FEET TO THE NORTHWEST CORNER OF SAID BLASER TRACT; THENCE S 55° 50' 30" W 20.00 FEET TO THE TRUE POINT OF BEGINNING.

Providing that such property shall be used and continue to be used by the CITY OF TROUTDALE, OREGON for a public purpose in the State of Oregon and should the property cease to be used for a public purpose, title shall revert to the Multnomah County.

The true and actual consideration paid for this transfer, stated in terms of dollars is \$0.00.

This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses.

Until a change is requested, all tax statements shall be sent to the following address:

104 SE KIBLING  
TROUTDALE, OR 97060-2099

IN WITNESS WHEREOF, MULTNOMAH COUNTY has caused these presents to be executed by the Chair of the Multnomah County Board of County Commissioners this 12th day of January, 1989, by authority of an Order of said Board of County Commissioners heretofore entered of record.



BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY, OREGON

*Gladys McCoy*  
Gladys McCoy  
Multnomah County Chair

APPROVED AS TO FORM:  
Laurence Kressel, County Counsel  
for Multnomah County, Oregon

DEED APPROVED:  
F. Wayne George, Director  
Facilities and Property Management Division

By *Laurence Kressel*

By *F. Wayne George*

STATE OF OREGON            )  
                                  )  
County of MULTNOMAH        ) ss.

On this 12th day of January, 1989, A.D., before me, a Notary Public in and for the County and State, personally appeared GLADYS McCOY, to me personally known, County Chair of Multnomah County, Oregon, to sign official County documents and that the seal affixed to said instrument was signed and sealed on behalf of said County by authority of its Board of County Commissioners, and said GLADYS McCOY acknowledged said instrument to be the free act and deed of said County.

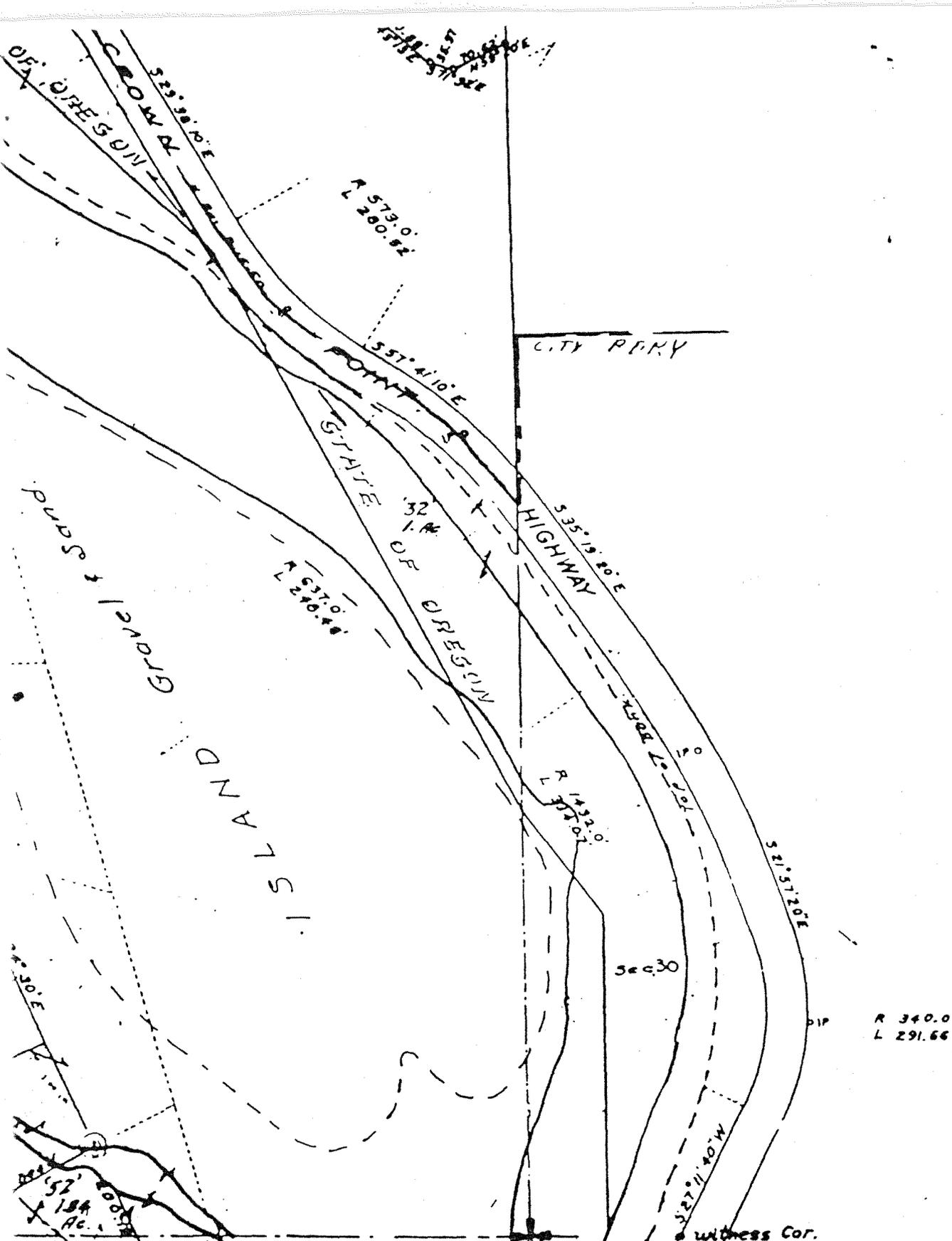
IN TESTIMONY WHEREOF, I have hereunto set my hand, affixed my official seal, the day and year first in this, my certificate, written.

  
Notary Public for Oregon

(SEAL)

My Commission Expires: 1/06/90





**25-1N-3E**

600-46

**1987**

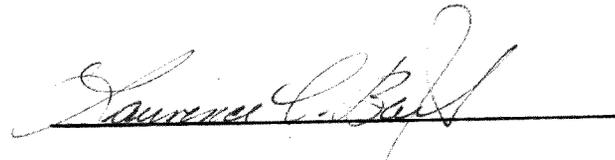
1/12/89

RECEIVED FROM JANE MCGARVIN  
CLERK, BOARD OF COUNTY COMMISSIONERS . MULTNOMAH COUNTY, OREGON

TAX TITLE

ORDER # 89-4 and Deed transferring tax foreclosed property to City of Troutdale  
Sec. 25/TL 193

R-4



Form CC-2

PLEASE SIGN & RETURN THIS RECEIPT TO COMMISSIONERS OFFICE



MULTNOMAH COUNTY OREGON

88  
5162

BOARD OF COUNTY COMMISSIONERS  
ROOM 605, COUNTY COURTHOUSE  
1021 S.W. FOURTH AVENUE  
PORTLAND, OREGON 97204

GLADYS McCOY • Chair • 248-3308  
PAULINE ANDERSON • District 1 • 248-5220  
GRETCHEN KAFOURY • District 2 • 248-5219  
RICK BAUMAN • District 3 • 248-5217  
POLLY CASTERLINE • District 4 • 248-5213  
JANE MCGARVIN • Clerk • 248-3277

January 12, 1989

Mr. Paul Yarborough, Director  
Department of Environmental Services  
2115 SE Morrison  
Portland, OR

Dear Mr. Yarborough:

Be it remembered, that at a meeting of the Board of County Commissioners held January 12, 1989, the following action was taken:

Notice of intent to apply for \$40,000 grant from )  
the Oregon State Land & Water Conservation fund )  
for restroom renovation and picnic shelter at )  
Blue Lake Park R-5 )

Upon motion of Commissioner Casterline, duly seconded by Commissioner Anderson, it is unanimously

ORDERED that said Notice of Intent be approved.

Very truly yours,

BOARD OF COUNTY COMMISSIONERS

By Jane McGarvin  
Jane McGarvin  
Clerk of the Board

jm  
cc: Parks Services

*Boal*  
DEC 16 1988

DATE SUBMITTED \_\_\_\_\_

(For Clerk's Use)  
Meeting Date 1/12/89  
Agenda No. R-5

REQUEST FOR PLACEMENT ON THE AGENDA

Subject: Oregon State Land & Water Conservation Grant N.O.I.

Informal Only X \_\_\_\_\_  
(Date)

Formal Only 1/12/88 \_\_\_\_\_  
(Date)

DEPARTMENT Environmental Services

DIVISION Park Services

CONTACT Daniel Kromer

TELEPHONE 248-5050

\*NAME(s) OF PERSON MAKING PRESENTATION TO BOARD Daniel Kromer

BRIEF SUMMARY

This is a Notice of Intent to Apply for a \$40,000 grant from the Oregon State Land & Water Conservation fund. The grant will require a 50/50 match. The grant request will be for restroom renovation and one picnic shelter.

ACTION REQUESTED:

/ INFORMATION ONLY /X/ PRELIMINARY APPROVAL / POLICY DIRECTION / APPROVAL

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA \_\_\_\_\_

IMPACT:

- / PERSONNEL
- /X/ FISCAL/BUDGETARY
- / General Fund
- Other 7 \_\_\_\_\_

BOARD OF COUNTY COMMISSIONERS  
 MULTNOMAH COUNTY  
 OREGON  
 1989 JAN - 3 PM 3:43  
 BOARD OF COUNTY COMMISSIONERS  
 MULTNOMAH COUNTY  
 OREGON  
 1988 DEC 20 PM 3:03

SIGNATURES:

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: CC [Signature]

BUDGET/PERSONNEL [Signature]

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) [Signature]

OTHER N/A  
(Purchasing, Facilities Management, etc.)

NOTE: If requesting unanimous consent, state situation requiring emergency action on back.

APPENDIX A

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

TO: BOARD OF COUNTY COMMISSIONERS

DEPARTMENT AND CONTACT PERSON: Daniel Kromer, Parks Services Division

GRANTOR AGENCY: Oregon State Land & Water Conservation Fund

BEGINNING DATE OF GRANT: January 1, 1990

PROJECT TITLE: Blue Lake Park Restroom Renovation & Picnic Shelter

PROJECT DESCRIPTION/GOALS:

The grant proposal is for the renovation of three Blue Lake Park restrooms and the construction of one Type C Picnic Shelter. The restroom renovation will be done so as to permit handicap access and at the same time upgrade existing fixtures for easier maintenance and reduced vandalism. The addition of one Type C shelter will allow more group picnic space per the Blue Lake Master Plan.

PROJECT ESTIMATED BUDGET	Direct/Indirect
FEDERAL SHARE:	\$ _____ / _____
STATE SHARE:	\$ 40,000 / 0
COUNTY SHARE:	\$ 39,343 / 657
TOTAL:	\$ _____ / _____

EXPLANATION OF LOCAL SHARE: (Explain indirect costs, hard-match, in-kind, etc.)

County share will be derived from the Park Development Program.

SPECIFY REPORTING AND/OR BILLING REQUIREMENTS OF GRANTOR AND WHO REPORTS FINANCE \_\_\_\_\_ DEPARTMENT XX. IF DEPT. REPORTS, INDICATE REASON.

GRANT DURATION AND FUTURE RATIO: (Indicate amount of county match per year.)

ADVANCE REQUESTED X YES \_\_\_\_\_ NO. IF NOT, INDICATE REASON.

RECEIPT OF FUNDS WILL BE DEPOSITED TO PO BOX \_\_\_\_\_ OR WIRED DIRECTLY \_\_\_\_\_. IF NOT, INDICATE REASON.

TOTAL

(Use appropriate County classification with yearly costs.)

N/A

EXPLAIN MATERIALS AND SERVICES AND CAPITAL EXPENDITURES WITH TOTAL DOLLAR AMOUNTS

\$40,000 from the Blue Lake Park Development Program will be used to match this project. This appropriation will be spent on materials/services.

COMMENTS

GRANT MANAGER

Nancy Chase 12/10/88  
Signature Date

BUDGET DIVISION

Shawn Cordova 12/27/88  
Signature Date

FINANCE DIVISION

Jan Hylac 12/27/88  
Signature Date

PERSONNEL DIVISION

N/A  
Signature Date

DEPARTMENT DIRECTOR

Paul Yackborough 12/22/88  
Signature cc Date

TOTAL

(Use appropriate County classification with yearly costs.)

N/A

EXPLAIN MATERIALS AND SERVICES AND CAPITAL EXPENDITURES WITH TOTAL DOLLAR AMOUNTS

\$40,000 from the Blue Lake Park Development Program will be used to match this project. This appropriation will be spent on materials/services.

COMMENTS

GRANT MANAGER

Marcy Chase 12/10/88  
Signature Date

BUDGET DIVISION

Shawn Kordwun 12/21/88  
Signature Date

FINANCE DIVISION

Jan Thelac 12/21/88  
Signature Date

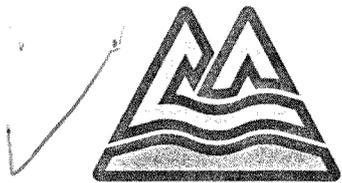
PERSONNEL DIVISION

\_\_\_\_\_  
Signature Date

DEPARTMENT DIRECTOR

Paul Yankovich 12-22-88  
Signature Date

89  
J162



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS  
ROOM 605, COUNTY COURTHOUSE  
1021 S.W. FOURTH AVENUE  
PORTLAND, OREGON 97204

GLADYS McCOY • Chair • 248-3308  
PAULINE ANDERSON • District 1 • 248-5220  
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RICK BAUMAN • District 3 • 248-5217  
POLLY CASTERLINE • District 4 • 248-5213  
JANE McGARVIN • Clerk • 248-3277

January 12, 1989

Mr. Paul Yarborough, Director  
Department of Environmental Services  
2115 SE Morrison  
Portland, OR

Dear Mr. Yarborough:

Be it remembered, that at a meeting of the Board of County Commissioners held January 12, 1989, the following action was taken:

In the matter of an intergovernmental agreement )  
with the Housing Authority of Portland (HAP) for )  
joint acquisition and rehabilitation of property )  
for conversion to a Residential Training Home )  
R-6 )

Commissioner Casterline explained that this matter does not involve monies from the General Fund, but that funding is from a CDBG grant and will be used for Developmentally Disabled clients. She moved, duly seconded by Commissioner Anderson.

Commissioner McCoy commended Community Development staff for developing programs for housing for the special needs population.

At this time, the motion was considered, and it is unanimously

ORDERED that said intergovernmental agreement be ratified.

Very truly yours,

BOARD OF COUNTY COMMISSIONERS

By Jane McGarvin  
Jane McGarvin  
Clerk of the Board

jm  
cc: Budget  
Finance  
Purchasing  
Community Development

DATE SUBMITTED 12/28/88

(For Clerk's Use)

Meeting Date 1/12/89  
Agenda No. R-6

REQUEST FOR PLACEMENT ON THE AGENDA

Subject: Agreement with Housing Authority of Portland

Informal Only\* January 10, 1989  
(Date)

Formal Only January 12, 1989  
(Date)

DEPARTMENT Environmental Services DIVISION Community Development

CONTACT J. Voget/C. Pitts TELEPHONE 248-5000

\*NAME(s) OF PERSON MAKING PRESENTATION TO BOARD Voget/Pitts or Burda

BRIEF SUMMARY Should include other alternatives explored, if applicable, and clear statement of rationale for the action requested.

The attached contract implements a CDBG award to HAP approved by the Board as part of the FY 88 Block Grant awards. The contract provides for joint acquisition and rehabilitation of property for conversion to a Residential Training Home.  
(IF ADDITIONAL SPACE IS NEEDED, PLEASE USE REVERSE SIDE)

ACTION REQUESTED:

INFORMATION ONLY  PRELIMINARY APPROVAL  POLICY DIRECTION  APPROVAL

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA 5 minutes

IMPACT: none

PERSONNEL

FISCAL/BUDGETARY

General Fund

Other CDBG

SIGNATURES:

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: [Signature]

BUDGET / PERSONNEL Signatures on contract /

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) signature on contract

OTHER signatures on contract  
(Purchasing, Facilities Management, etc.)

BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY  
OREGON  
1989 JAN - 5 AM 9:23

*Gladys McCoy*  
*[Signature]*



MULTNOMAH COUNTY OREGON

CONTRACT APPROVAL FORM

(See instructions on reverse side)

TYPE I

- Professional Services under \$10,000
- Revenue
- Grant Funding
- Intergovernmental Agreement

TYPE II

- Professional Services over \$10,000 (RFP, Exemption)
- PCRB Contract
- Maintenance Agreement
- Licensing Agreement
- Construction

Amendment # \_\_\_\_\_ to Contract # \_\_\_\_\_

Amendment # \_\_\_\_\_ to Contract # \_\_\_\_\_

Contact Person Jane Voget Phone 248-5000 Date 11/14/88

Department Environmental Services Division Community Development Bldg/Room DES/412

Description of Contract Acquisition and conversion of property located at 11819 S.E. Grant Street, Portland, OR 97216 to partially barrier-free group home for developmentally disabled adults.

4188 CDBG competitive

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

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

Contractor Name Housing Authority of Portland

Mailing Address 1605 N.E. 45th  
Portland, OR 97213

Phone (503) 249-5502

Employer ID# or SS# 93-6001547

Effective Date Upon execution

Termination Date Upon 30-day notice

Original Contract Amount \$ ~~40,000~~ \$40,000

Amount of Amendment \$ ~~40,000~~ X

Total Amount of Agreement \$ 40,000

Payment Terms

- Lump Sum \$ \_\_\_\_\_
- Monthly \$ \_\_\_\_\_
- Other \$ As billed

Requirements contract-requisition required  
Purchase Order No. \_\_\_\_\_

Required Signatures:

Department Head [Signature]

Date 11-30-88

Purchasing Director [Signature]  
(Type II Contracts Only)

Date 12/5/88

County Counsel [Signature]

Date 12/8/88

Budget Office [Signature]

Date 12/9/88

County Executive/Sheriff \_\_\_\_\_

Date \_\_\_\_\_

TRANSACTION CODE	P.O.	AGENCY	PO DATE	ACCOUNTING PERIOD	BUDGET FY	ACTION				
						<input type="checkbox"/> Original Entry (E) <input type="checkbox"/> Adjustment (M)				
VENDOR CODE	VENDOR NAME				TOTAL AMOUNT	\$				
LINE NO.	CONTRACT NUMBER	FUND	AGENCY	ORGANIZATION	ACTIVITY OBJECT	SUB OBJ	REPT CATEG	DESCRIPTION	AMOUNT	INC/DEC IND
	30105-9	156	030	5543	6060	00		Acquisition	\$ 36,000.00	
								Rehabilitation	\$ 4,000.00	
								Total	\$ 40,000.00	
									\$	



AGREEMENT

between

MULTNOMAH COUNTY, OREGON

and

THE HOUSING AUTHORITY OF PORTLAND

This Agreement, is effective as of the \_\_\_\_\_ day of \_\_\_\_\_, 1988, between Multnomah County, a political subdivision of the State of Oregon (hereinafter referred to as the "COUNTY"), and the The Housing Authority of Portland, (hereinafter referred to as "CONTRACTOR"). Termination is as stated in Part I, Section 14, below.

RECITALS

- A. The COUNTY Community Development Division, Department of Environmental Services, is an urban county applicant for Community Development Block Grant (CDBG) funds under the Housing and Community Development Act of 1974 (the ACT), Pub. L. 93-383 as amended, and will receive CDBG funds for the purpose of carrying out eligible community development and housing activities under the ACT and under regulations promulgated by the U.S. Department of Housing and Urban Development (HUD) at 24 CFR Part 570;
- B. The Housing Authority of Portland is a public body corporate and politic, organized pursuant to the laws of the State of Oregon for the purpose of providing housing for lower income and special needs populations.
- C. As described within this Agreement, the parties desire to cooperate in the acquisition, remodeling, and management of real property for use as a barrier-free group home for developmentally disabled adults, an eligible activity under the ACT and HUD regulations;
- D. It is appropriate and mutually desirable that CONTRACTOR be designated by the COUNTY to undertake the aforementioned eligible activities, so long as the requirements of the ACT, HUD Regulations, State law and local law are adhered to, as provided for herein;
- E. The purpose of this Agreement is to provide for cooperation between the COUNTY and CONTRACTOR, as the parties in this Agreement, in implementing such eligible activities in the manner described above.

AGREEMENT

In consideration of payments, covenants, and agreements hereinafter mentioned, to be made and performed by the parties hereto, the parties mutually covenant and agree as provided in pages 1 to 16 attached hereto.

HOUSING AUTHORITY OF PORTLAND

BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY, OREGON

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Gladys McCoy, Chair

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

*Paul Yarborough* 11-30-88  
Paul Yarborough, Director Date  
Department of Environmental Services

\_\_\_\_\_  
Date

*Jane Burda* 11-29-88  
Jane Burda, Director Date  
Community Development Division

*Jane Voget* 11/29/88  
Jane Voget, Project Manager Date

APPROVED AS TO FORM

LAURENCE KRESSEL, COUNTY COUNSEL  
FOR MULTNOMAH COUNTY

By \_\_\_\_\_  
Assistant County Counsel

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PART I. GENERAL CONDITIONS

1. SCOPE OF AGREEMENT

The Agreement between the parties shall consist of the signature page, the general conditions; the Federal, State and local program requirements; the evaluation and record keeping requirements, all matters and laws incorporated by reference herein; attachments A and B to this contract, and any written amendments made according to the general conditions.

2. SCOPE OF SERVICES

- A. The CONTRACTOR shall acquire property described as Lot 1, Block 1, MICHAEL TERRACE, also known as 11819 S.E. Grant Street, Portland, Multnomah County, Oregon 97216 (PROPERTY). The closing date shall be no later than December 31, 1988.
- B. Property acquired under this Agreement shall be utilized as a barrier-free group home for developmentally disabled, and shall comply with all applicable Federal, State, or local program and code requirements for such a facility. The CONTRACTOR shall execute a lease with a management agent (AGENT) and shall open and operate the group home at the acquired PROPERTY no later than March 1, 1989.
- C. CONTRACTOR shall operate the barrier-free group home through the (AGENT) to give maximum feasible benefit to lower income households living or working in Multnomah County. Reasonable fees may be charged by CONTRACTOR and AGENT for actual costs, including reasonable overhead charges. Excessive charges which would preclude utilization of the group home by lower income persons (as defined by the U.S. Department of Housing and Urban Development for the Portland Metropolitan Statistical Area) shall not be permitted.
- D. The CONTRACTOR and AGENT shall operate and maintain the group home under provisions of such Agreements as they may mutually undertake.
- E. Following acquisition of the PROPERTY, CONTRACTOR shall undertake necessary rehabilitation activities required to utilize the PROPERTY as a barrier-free group home according to specifications provided to and/or approved by the COUNTY. CDBG funds provided pursuant to this Agreement shall be utilized for purchase of materials and labor necessary for rehabilitation as set forth in Section 5 herein. Rehabilitation will begin no later than January 15, 1989, and will be completed no later than February 28, 1989.
- F. All references to times of acquisition, rehabilitation and occupancy are conditional upon CONTRACTOR'S receipt of COUNTY CDBG funds no later than December 15, 1988. To the extent that the COUNTY CDBG funds are received after this date, the contract gets a day-to-day extension of each date.

### 3. COMMENCEMENT AND COMPLETION OF PROJECT

- A. Upon release of project-related funds by HUD pursuant to 20 CFR Part 58, the COUNTY shall furnish CONTRACTOR with written notice to proceed. No work on the project shall occur prior to the notice to proceed without written approval from the COUNTY. Completion date for the acquisition shall be no later than December 15, 1988. The barrier-free group home shall be open for occupancy no later than March 1, 1988. The foregoing is subject to Part I.2F.
- B. Time is of the essence in this Agreement.

### 4. COMPENSATION AND METHOD OF PAYMENT

- A. The COUNTY will pay to the CONTRACTOR an amount not to exceed \$36,000 for downpayment and closing costs toward acquisition of the group home as specified in the earnest money agreement entered into by the CONTRACTOR dated October 7, 1988. CONTRACTOR shall contribute up to \$28,500 towards acquisition and closing costs. Should CONTRACTOR's long-term financing require, the actual amount of down payment and closing costs may be adjusted upon written request to COUNTY. However, it is understood between the parties that COUNTY'S maximum commitment under this agreement is \$40,000. If down payment and closing costs total more or less than \$36,000, COUNTY'S commitment under Section C below will be adjusted downward or upward as appropriate.
- B. Upon receipt of an executed Purchase Agreement from the CONTRACTOR, the COUNTY will make payment of acquisition funds to the CONTRACTOR prior to the closing date specified in Scope of Services above.
- C. CONTRACTOR shall, in turn, pay to the SELLER an amount not to exceed \$62,000 (excluding closing costs) within 5 days of receipt of funds from the COUNTY. CONTRACTOR shall promptly furnish COUNTY with proof of such payment verifying receipt by the CONTRACTOR of a good and sufficient warranty deed to the property.
- D. Following acquisition, the COUNTY shall provide funds for materials and labor necessary to the rehabilitation of the PROPERTY up to the balance remaining of the original \$40,000. COUNTY will prepare plans and specifications and supervise rehabilitation work to be performed by a licensed bonded building contractor to be selected by CONTRACTOR in conjunction with COUNTY. Contractor has the right to approve the plans and specifications. If the bid for the rehabilitation work described in this Paragraph exceeds the budgeted contract amount described in Paragraph E of Part 4, COUNTY shall increase the CDBG funds available for this project by the amount the bid exceeds the budget, subject to written agreement of the parties and subject to fund availability.
- E. COUNTY will pay rehabilitation funds to CONTRACTOR upon receipt of Cost Reimbursement Request and Authorizations for progress Payments documenting work in progress for the CONTRACTOR.

Additional funds of approximately \$4,000 (or maximum payment minus down payment and closing costs) will be paid in installments according to the Authorizations for Progress Payments issued by COUNTY'S project inspector, and upon receipt of properly executed Cost Reimbursement Requests from the CONTRACTOR. This payment schedule is contingent upon satisfactory inspection of work in progress by County's project inspector. If inspection does not meet approval of said County inspector, COUNTY reserves the right to withhold timely payment until approval is obtained. Such approval will not be unreasonably withheld.

#### 5. POST ACQUISITION RESPONSIBILITIES

- A. Upon acquisition of the PROPERTY, the CONTRACTOR shall execute and deliver to the COUNTY, a TRUST DEED in the form attached hereto as Exhibit A, conveying the PROPERTY in trust for the benefit of the County to secure performance of CONTRACTOR's obligations under this Agreement.
- B. Should the acquisition of the PROPERTY not be completed by December 15, 1988, at the written request of the COUNTY the CONTRACTOR shall within 5 days, return to the COUNTY all CDBG funds provided under this Agreement, subject to the provisions of Part I.2F.
- C. Should the PROPERTY be acquired by the CONTRACTOR but not opened and operated as a barrier-free group home by March 1, 1989, at the written request of the COUNTY the CONTRACTOR shall dispose of said property and return to the COUNTY all CDBG funds granted to CONTRACTOR by COUNTY under the terms of this Agreement. Proceeds from the disposition shall be distributed proportionately between the parties according to the contribution of each party. The date referenced above is subject to the provisions of Part 1.2F.
- D. The obligations of the CONTRACTOR outlined in this section shall not arise during any time a "force majeure" prevents or delays the opening and operation of the group home by March 1, 1989.
- E. In the event the CONTRACTOR does not continue for twenty years from the date of acquisition to operate and maintain the PROPERTY as a barrier-free group home eligible for CDBG funding under HUD regulations, the CONTRACTOR will dispose of the PROPERTY under HUD regulations and immediately acquire and operate other eligible housing located within MULTNOMAH COUNTY and outside the city of Portland. The CONTRACTOR shall execute and deliver a TRUST DEED on the newly acquired PROPERTY as provided in subsection A of this section.
- F. In the event that the CONTRACTOR cannot or will not continue to operate the eligible group home in Multnomah County for twenty years from the date of acquisition of the PROPERTY, as provided in this Agreement, or otherwise fails to perform its obligations under this Agreement, CONTRACTOR shall pay to the COUNTY an amount equal to the total funds it received from the COUNTY, less five (5) percent of this total for each complete year that the CONTRACTOR fully performed its obligations under this Agreement.

- G. The obligations of the CONTRACTOR outlined in this section shall not arise during anytime that the group home is closed temporarily as a result of circumstances beyond the control of the CONTRACTOR. The CONTRACTOR shall notify the COUNTY in writing of any such closure.

#### 6. OPERATING BUDGET

- A. The maximum amount of CDBG funds available to this project is \$40,000.
- B. Expenses totaling an amount greater than that budgeted for the project may not be expended from CDBG funds or County funds without proper prior written consent of the COUNTY.

#### 7. FUNDING ALTERNATIVES AND FUTURE SUPPORT

- A. The COUNTY makes no commitment to future support and assumes no obligation for future support of the activity contracted for herein; except as expressly set forth in this Agreement. COUNTY shall make good faith efforts to gain continued support for future operations.
- B. Should anticipated sources of revenue not become available to the COUNTY for use in the CDBG Program, the COUNTY shall immediately notify CONTRACTOR in writing and the COUNTY will be released from all contracted liability for that portion of the Agreement covered by funds not received by the COUNTY.

#### 8. AMENDMENTS

Either party may request modifications in the scope of services, terms, or conditions of this Agreement. Proposed modifications which are mutually agreed upon shall be incorporated by written amendment to this Agreement.

#### 9. ASSIGNMENT AND SUBCONTRACTING

No work or services under this Agreement shall be assigned or subcontracted except as otherwise provided herein.

#### 10. HOLD HARMLESS AND INDEMNIFICATION

- A. CONTRACTOR further agrees that it is financially responsible for any audit exception which occurs due to its negligence or failure to comply with the terms of the Agreement or any local, State, Federal rule, regulation, or statute.
- B. CONTRACTOR agrees to protect and save the COUNTY, its elected and appointed officials, agents, and employees while acting within the scope of their duties as such, harmless from and against all claims, demands, and causes of action of any kind or character, including the cost of defense thereof, arising in favor of CONTRACTOR'S employees

or third parties on account of personal injuries, death or damage to property arising out of services performed or omissions of services or in any way resulting from the acts or omissions of CONTRACTOR and/or its agents, employees, subcontractors or representatives under this Agreement.

## 11. INSURANCE

### A. Property and Public Liability Insurance

CONTRACTOR shall obtain applicable property insurance necessary to protect the investment made in the barrier-free group home by the COUNTY and CONTRACTOR, and shall provide the COUNTY with evidence of such insurance. CONTRACTOR shall also obtain and continuously maintain, and furnish to the COUNTY evidence of personal liability insurance on the subject premises with limits of liability not less than:

\$100,000 each person, personal injury  
\$300,000 each occurrence, personal injury  
\$ 50,000 each occurrence, property damage

Such insurance shall name as additional insured the COUNTY, its officers, agents and employees, and protect against liability for any claims or damages resulting from personal injury, bodily injury, death, or damage to property, including loss of use thereof, in any way related to performance of this Agreement.

In the event that ORS 30.270 is amended to increase the amount of liability, CONTRACTOR agrees to increase its minimum insurance amount accordingly.

Such insurance shall provide 30 days' written notice to the COUNTY in the event of cancellation, nonrenewal or material change, and it shall further provide that no act on the part of the insured shall affect the coverage afforded to the COUNTY under this insurance.

- B. CONTRACTOR shall maintain Workers' Compensation insurance coverage for all nonexempt workers, employees and subcontractors either as a carrier insured employer or a self-insured employer as provided in Chapter 656 of Oregon Revised Statutes. A certificate showing current Workers' Compensation insurance, or copy thereof, is attached to this agreement as Exhibit B, and is incorporated herein as part of this agreement.
- C. In the event that contractor's Workers' Compensation insurance coverage is due to expire during the term of this agreement, contractor agrees to renew such insurance before such expiration and to provide Multnomah County a certificate of Workers' Compensation insurance coverage under such renewal contracts.

## 12. CERTIFICATION OF COMPLIANCE

Contractor hereby certifies under penalty of perjury that to the best of contractor's knowledge, contractor is not in violation of any Oregon tax laws described in ORS 305.380(4).

## 13. CONFLICT OF INTEREST

- A. Interest of Officers, Employees, or Agents - No officer, employee, or agent of the COUNTY or CONTRACTOR who exercises any functions or responsibilities in connection with the planning and carrying out of the Block Grant Program, or any other person who exercises any functions or responsibilities in connection with the Program, during their tenure or for one year thereafter, shall have any personal financial interest in this Agreement, or in any contract, subcontract or subagreement arising therefrom, either for themselves or for persons with whom they have family or business ties; and CONTRACTOR shall take appropriate steps to assure compliance.
- B. Interest of Certain Federal Officials - No member of or delegate to the Congress of the United States and no Resident Commissioner shall be admitted to any share or part of this Agreement or to any benefit that may arise hereunder.

## 14. EARLY TERMINATION

- A. This Agreement is subject to termination upon 30 days' written notice by the COUNTY should:
- (1) CONTRACTOR mismanage or make improper or unlawful use of Agreement funds;
  - (2) CONTRACTOR fail to comply with the terms and conditions expressed herein or the applicable regulations and directives of the Federal Government, State, or COUNTY;
  - (3) CONTRACTOR fail to provide services expressed by this Agreement;
  - (4) CONTRACTOR fail to submit reports or submit incomplete or inaccurate reports in any material respect; or
  - (5) CDBG funds become no longer available.
- B. Termination of this agreement shall not occur pursuant to paragraph A(2), (3), or (4) unless the COUNTY provides a 15 day written notice to CONTRACTOR which specifies any acts or omissions which would give rise to termination of the Agreement and provides CONTRACTOR with a reasonable opportunity to remedy any such problems. Furthermore, termination shall not occur under paragraph A of this section if temporary closure of the facility is necessitated by circumstances beyond the control of CONTRACTOR and if CONTRACTOR notifies the COUNTY in writing of such closure.

- C. This Agreement is subject to termination upon 30 days' written notice by CONTRACTOR should:
- (1) The COUNTY fail in its commitment under this Agreement to provide funding as herein provided; or
  - (2) CDBG funds become no longer available from the Federal Government or through the COUNTY.
- D. Upon termination of this Agreement any unexpended balance of CDBG funds shall be released to the COUNTY for use in other CDBG activities at the discretion of the COUNTY.
- E. In the event that termination occurs under paragraph A(1) of this section, CONTRACTOR shall return to the COUNTY all CDBG funds which were expended in violation of the terms of this Agreement.

#### 15. EVALUATION AND REPORTS

- A. CONTRACTOR agrees to participate with the COUNTY in any project evaluation or performance report, as designed by the COUNTY or a State or Federal agency, and to make available all information required to any such evaluation process. CONTRACTOR shall not be required to provide any information to the COUNTY or to HUD which reveals identity of clients in violation of state or federal laws.

#### PART II. FEDERAL, STATE, AND LOCAL PROGRAM REQUIREMENTS

In performing its obligations under this Agreement, CONTRACTOR will act in the place of a direct applicant as a recipient of funds from the United States Department of Housing and Urban Development, and will comply with all applicable local, State and Federal ordinances, statutes, laws and regulations, including, the applicable local and Federal program requirements described in Attachment B as well as but not limited to the following:

1. PROJECT BENEFIT: CONTRACTOR will implement the project to give maximum feasible benefit to developmentally disabled adults.
2. RECORDS AND ACCOUNTING REQUIREMENTS:
  - A. CONTRACTOR will comply with the regulations, policies, guidelines and requirements of OMB Circular No. A-102 and A-110, Revised, as it relates to the application, acceptance and use of Federal funds under this Agreement.
  - B. The Secretary of HUD, the Comptroller General of the United States, the COUNTY or any of their duly authorized representatives, shall have access to all books, accounts, records, reports, files and other papers or property of CONTRACTOR pertaining to funds provided under this Agreement for the purposes of making surveys, audits, examinations, excerpts, and transcripts.

- C. As required by HUD Regulations, 24 CFR Part 570, CONTRACTOR shall compile and maintain the following records:
- (1) Financial Management - Such records shall identify adequately the source and application of funds for activities within this Agreement, in accordance with the provisions of U.S. Office of Management and Budget Circular A-110. These records shall contain information pertaining to grant awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays, and income. All CDBG funds utilized by CONTRACTOR under this Agreement must be accounted for, separate from any other funds received or spent, and must be disbursed only for CDBG eligible activities.
  - (2) Equal Opportunity - CONTRACTOR shall maintain racial, ethnic, gender, and income data showing the extent to which these categories of persons have participated in, or benefited from, the activity carried out under this Agreement. CONTRACTOR shall also maintain data which records its affirmative action in equal opportunity employment, and its good-faith efforts to identify, train, and/or hire lower-income residents of the project area and to utilize business concerns which are located in or owned in substantial part by persons residing in the area of the project.
  - (3) Such other records as may be required by the COUNTY and/or HUD.
- E. Financial records, supporting documents, statistical records, and all other records pertinent to this Agreement shall be retained by CONTRACTOR for a period of four years from the date of the completion of the project except as follows:
- (1) Records that are the subject of audit findings shall be retained for four years or until such audit findings have been resolved, whichever is later.
  - (2) Records for nonexpendable property which was acquired with Federal grant funds shall be retained for three years after its final disposition.
  - (3) Records pertaining to real property acquisition shall be retained for three years after settlement of the acquisition.
- F. CONTRACTOR will comply with all requirements imposed by HUD concerning special requirements of law, program requirements, and other administrative requirements, approved in accordance with OMB Circular No. A-102 Revised.

### 3. NON-DISCRIMINATION

- A. CONTRACTOR will comply with Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), and the regulations issued pursuant thereto (24 CFR Part 1), which provides that no person in the United States shall on

the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this assurance. If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the applicant, this assurance shall obligate the applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits.

- B. CONTRACTOR will comply with Section 3 of the Housing and Urban Development Act of 1968, as amended, requiring that to the greatest extent feasible, opportunities for training and employment be given to lower-income residents of the project area and contracts for work in connection with the project be awarded to eligible business concerns which are located in, or owned in substantial part, by persons residing in the area of the project.
- C. CONTRACTOR will not directly or through contractual or other arrangements, on the ground of race, color, national origin, or sex:
- (1) (a) Deny any facilities, services, financial aid or other benefits provided under this Agreement.
  - (b) Provide any facilities, services, financial aid or other benefits which are different, or are provided in a different form from that provided to others under this Agreement.
  - (c) Subject to segregated or separate treatment in any facility in, or in any matter or process related to receipt of any service or benefit under this Agreement.
  - (d) Restrict in any way access to, or in the enjoyment of any advantage or privilege enjoyed by others in connection with facilities, services, financial aid or other benefits under this Agreement.
  - (e) Treat an individual differently from others in determining whether the individual satisfies any admission, enrollment, eligibility, membership, or other requirement or condition which individuals must meet in order to be provided any facilities, services or other benefit provided under this Agreement.
  - (f) Deny an opportunity to participate in a program or activity as an employee.

- (2) CONTRACTOR will not utilize criteria or methods of administration which have the effect of subjecting individuals to discrimination on the basis of race, color, national origin, or sex, or have the effect of defeating or substantially impairing accomplishment of the objectives of this Agreement with respect to individuals of a particular race, color, national origin, or sex.
- (3) CONTRACTOR shall not be prohibited by this part from taking any action eligible under 24 CFR Subpart C to ameliorate an imbalance in services or facilities provided to any geographic area or specific group of person within its jurisdiction, where the purpose of such action is to overcome prior discriminatory practice or usage.
- (4) Notwithstanding anything to the contrary in this section, nothing contained herein shall be construed to prohibit CONTRACTOR from maintaining or constructing separate living facilities or rest room facilities for the different sexes. Furthermore, selectivity on the basis of sex is not prohibited when institutional or custodial services can properly be performed only by a member of the same sex as the recipients of the services.

D. CONTRACTOR will comply with the requirements of ORS Chapter 659 concerning non-discrimination in employment.

#### 4. ENVIRONMENT

- A. At its expense COUNTY shall conduct an environmental review of the PROPERTY prior to acquisition by CONTRACTOR, and it is agreed that no CDBG funds will be released to CONTRACTOR for the project until the selected site has received a negative finding of environmental impact.
- B. In order to assure that the policies of the National Environmental Policy Act of 1969 are most effectively implemented in connection with the expenditure of funds under this Agreement, the COUNTY and CONTRACTOR shall proceed in a manner that will least disturb the surrounding environment. Noise, dust, transportation disruption, construction hours, etc., shall be dealt with in a manner that least impacts the surrounding environment adversely.
- C. CONTRACTOR shall comply with all applicable portions of Federal legislation incorporated by reference in CDBG Regulations, which include, but are not limited to, the Lead-Based Paint Poisoning Prevention Act, the National Historic Preservation Act of 1966, the Clean Air Act, the Archeological and Historic Preservation Act, the Federal Water Pollution Control Act, Executive Order 11593 regarding Protection and Enhancement of the Cultural Environment, and Executive Order 11988 regarding Floodplain Management. CONTRACTOR shall also comply with applicable requirements of Oregon State law regarding historic preservation.

5. NONSUBSTITUTION FOR LOCAL FUNDING

The Block Grant Funding made available under this Agreement shall not be utilized by CONTRACTOR to reduce substantially the amount of local financial support for the group home activities below the level of such support prior to the availability of funds under this Agreement.

6. PUBLIC INFORMATION

In all news releases and other public notices related to project funds under this Agreement, CONTRACTOR shall include information identifying the sources of funds as the Multnomah County CDBG program.

7. SAFE EMPLOYMENT ACTS

CONTRACTOR is responsible for compliance with State and Federal safety and health acts, ORS 654.001 et seq. and 29 U.S.C. 651 et seq., and the regulations promulgated thereunder.

8. OREGON CONSTITUTIONAL LIMITATIONS

Pursuant to the requirements of ORS 279.310 through 279.320 and Article XI, Section 10 of the Oregon Constitution, the following terms and conditions are made part of this Agreement.

A. CONTRACTOR agrees to:

- (1) Make payment promptly as due all persons supplying to CONTRACTOR labor or materials for the prosecution of the work provided for in this Agreement.
- (2) Pay all contributions or amounts due the Industrial Accident Fund from such contractor or subcontractor incurred in the performance of this Agreement.
- (3) Not permit any lien or claim to be filed or prosecuted against Multnomah County on account of any labor or material furnished.
- (4) Pay to the Department of Revenue all sums withheld from employees pursuant to ORS 316.167.

B. If CONTRACTOR fails, neglects, or refuses to make prompt payment of any claim for labor or services furnished by a contractor or a subcontractor to any person in connection with this Agreement as such claims becomes due, the proper office furnishing the labor or services and charge the amount payable against funds due or to become due CONTRACTOR by reason of this Agreement.

C. No person shall be employed for more than eight (8) hours in any one day, or forty (40) hours in any one week, except in cases of necessity, emergency, or where public policy absolutely requires it, and in such cases, the labor shall be paid at least time and one-half

pay for all overtime in excess of eight (8) hours a day and work performed on Saturday and on any legal holiday specified in ORS 279.334.

- D. CONTRACTOR shall promptly, as due, make payment to any person or partnership, association or corporation furnishing medical, surgical and hospital care or other needed care and attention incident to sickness and injury to the employees of CONTRACTOR of all sums which CONTRACTOR collected or deducted from the wages of its employees pursuant to any law, contract, or Agreement for the purpose of providing or paying for such services.
- E. 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. Any provisions herein which would conflict with law are deemed inoperative to that extent.

The Housing Authority of Portland (CONTRACTOR) agrees to execute a trust deed conveying the property known as 11819 S.E. Grant Street, Portland, Multnomah County, Oregon in trust for the benefit of Multnomah County to secure performance of CONTRACTOR'S obligations under this Agreement.

The trust deed, in a form acceptable to Multnomah County, will be prepared, signed and recorded within thirty days. The original trust deed shall be delivered to the Multnomah County Community Development Division within ten (10) days after recording.

TRUST DEED

THIS TRUST DEED is made this \_\_\_\_ day of \_\_\_\_\_, 19\_\_,  
between \_\_\_\_\_ as Grantor  
and \_\_\_\_\_ as Trustee, and the County of  
Multnomah, as Beneficiary.

The Grantor, in consideration of \_\_\_\_\_ Dollars  
(\$ \_\_\_\_\_) does convey to the Trustee in trust, and any transferee of  
the Trustee, the following real property situated in the County of Multnomah,  
state of Oregon, and described as follows:

Together with all of the tenements, hereditaments and appurtenances  
belonging to that property, including those which may later be found to belong  
or appertain, and any and all fixtures upon the property at the time of the  
execution of this Trust Deed or at any time during the term of this Trust  
Deed; to have and to hold the property as so described, until such time as any  
and all obligations of Grantor under the agreement between Grantor and  
Beneficiary, dated \_\_\_\_\_, 1988, ("the Agreement") and all conditions  
of this Trust Deed are satisfied.

THE ABOVE-DESCRIBED PROPERTY IS NOT USED FOR AGRICULTURAL, TIMBER OR  
GRAZING PURPOSES.

This conveyance is intended to secure the payment and performance of  
the Grantor's obligations under the Agreement, including the obligation to  
repay to Beneficiary funds received under the Agreement if Grantor fails to  
perform its obligations under the Agreement.

The date of maturity of the obligations secured by this Trust Deed is  
the date on which the agreement expires, that is \_\_\_\_\_,  
2008.

The Grantor covenants:

1. That Grantor is the legal owner of the property, and now has a valid and  
unencumbered fee simple title thereto, except as provided below, and that the  
Grantor will warrant and defend said title against the claims and demands of  
all other persons.

Exceptions:

- (a) The Grantor's unencumbered fee simple title to the premises is subject to a \_\_\_\_\_ in favor of \_\_\_\_\_ dated \_\_\_\_\_, 19\_\_, in the amount of \$\_\_\_\_\_, and Recorded on \_\_\_\_\_, in Book \_\_\_\_\_, Page \_\_\_\_\_, Multnomah County, Oregon.
- (b) The Grantor's unencumbered fee simple title to the premises is subject to a \_\_\_\_\_ in favor of dated \_\_\_\_\_, 19\_\_, in the amount of \$\_\_\_\_\_, and Recorded on \_\_\_\_\_, in Book \_\_\_\_\_, Page \_\_\_\_\_, Multnomah County, Oregon.
2. That Grantor will promptly and fully perform all its obligations according to the terms of the Agreement, and will promptly pay any indebtedness secured hereby in accordance with its terms.
  3. That so long as this Trust Deed shall remain in force, Grantor will pay all taxes, assessments, liens and other charges which may be levied or assessed against the property or this Trust Deed or the obligations hereby secured.
  4. That Grantor will keep all the improvements erected on said premises in good order and repair and will not permit or cause any waste of the property.
  5. The Grantor will keep all present structures insured against loss or damage by fire, with extended coverage, to the insurable value of the property, in a company or companies acceptable to the Beneficiary and for the benefit of the Beneficiary, in the amount of \$\_\_\_\_\_, and will allow the Beneficiary to examine all policies and renewals upon request.

A failure by the Grantor to perform its obligations under the Agreement or the covenants and conditions in this Trust Deed shall give to either the Beneficiary or the Trustee the option to declare payment of the obligations secured hereby, at once due and payable, and this Trust Deed may be foreclosed at any time thereafter.

In the event of any suit or action to foreclose this Trust Deed, the losing party agrees to pay all costs plus whatever sum the trial court may find to be reasonable as attorney fees to be allowed by prevailing party, and in the event of any appeal, the losing party agrees to pay all costs plus whatever sum the appellate court may find to be reasonable as the prevailing party's attorney fees on the appeal.

In the event of any default of any covenants by Grantor described herein, this Trust Deed may be foreclosed by advertisement and sale in accordance with statute. In the event of such foreclosure, the Beneficiary shall be entitled to recover its reasonable expenses, Trustee fees and attorney fees.

Grantor further agrees that in the event any portion or all of the property is taken under right of eminent domain or condemnation, Beneficiary shall have the right to require that the compensation be paid to Beneficiary and applied, first, to the Beneficiary's reasonable costs and attorney fees and second, to the indebtedness secured by this Trust deed.

IN WITNESS WHEREOF, the Grantor has executed this instrument this \_\_\_\_\_ day of \_\_\_\_\_, 1988.

\_\_\_\_\_  
\_\_\_\_\_

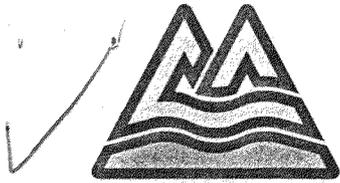
STATE OF OREGON        )  
                                  ) ss  
COUNTY OF MULTNOMAH )

\_\_\_\_\_, 1988

Personally appeared before me \_\_\_\_\_ who, being duly sworn, each for and \_\_\_\_\_ who, being duly sworn, each for himself and not one for the other, did say that the former is the \_\_\_\_\_ President and the latter is the \_\_\_\_\_ Executive Director of \_\_\_\_\_, a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires: \_\_\_\_\_

89  
5162



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS  
ROOM 605, COUNTY COURTHOUSE  
1021 S.W. FOURTH AVENUE  
PORTLAND, OREGON 97204

GLADYS McCOY • Chair • 248-3308  
PAULINE ANDERSON • District 1 • 248-5220  
GRETCHEN KAFOURY • District 2 • 248-5219  
RICK BAUMAN • District 3 • 248-5217  
POLLY CASTERLINE • District 4 • 248-5213  
JANE MCGARVIN • Clerk • 248-3277

January 12, 1989

Mr. Paul Yarborough, Director  
Department of Environmental Services  
2115 SE Morrison  
Portland, OR

Dear Mr. Yarborough:

Be it remembered, that at a meeting of the Board of County Commissioners held January 12, 1989, the following action was taken:

In the matter of an intergovernmental agreement )  
with the Housing Authority of Portland (HAP) for )  
joint acquisition and rehabilitation of property )  
for conversion to a Residential Training Home )  
R-6 )

Commissioner Casterline explained that this matter does not involve monies from the General Fund, but that funding is from a CDBG grant and will be used for Developmentally Disabled clients. She moved, duly seconded by Commissioner Anderson.

Commissioner McCoy commended Community Development staff for developing programs for housing for the special needs population.

At this time, the motion was considered, and it is unanimously

ORDERED that said intergovernmental agreement be ratified.

Very truly yours,

BOARD OF COUNTY COMMISSIONERS

By Jane McGarvin  
Jane McGarvin  
Clerk of the Board

jm  
cc: Budget  
Finance  
Purchasing  
Community Development

DATE SUBMITTED \_\_\_\_\_

(For Clerk's Use)  
Meeting Date 1/12/89  
Agenda No. R-7

**REQUEST FOR PLACEMENT ON THE AGENDA**

Subject: Emergency Exemption Request

Informal Only \* \_\_\_\_\_  
(Date)

Formal Only \_\_\_\_\_  
(Date)

DEPARTMENT Environmental Services

DIVISION Facilities Management

CONTACT Jim Emerson/Frank Lopez

TELEPHONE 248-3322/248-5111

\*NAME(s) OF PERSON MAKING PRESENTATION TO BOARD Jim Emerson/Frank Lopez

**BRIEF SUMMARY** Should include other alternatives explored, if applicable, and clear statement of rationale for the action requested.

Request to the Board of County Commissioners acting as the PCRB, regarding an emergency exemption from the competitive bid process for purchase and erection of metal screening walls for Living Units at the Multnomah County Correctional Facility (MCCF) to preserve the public health and safety of inmates and Correctional officers assigned to the facility.

**ACTION REQUESTED:**

INFORMATION ONLY       PRELIMINARY APPROVAL       POLICY DIRECTION       APPROVAL

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA 5 minutes

**IMPACT:**

PERSONNEL

FISCAL/BUDGETARY

GENERAL FUND

OTHER \_\_\_\_\_

**SIGNATURES:**

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: [Signature]

BUDGET / PERSONNEL 1

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) [Signature]

OTHER [Signature]  
(Purchasing, Facilities Management, etc.)

NOTE: If requesting unanimous consent, state situation requiring emergency action on back.

CS:122088

*Mailed 1/27/89*

BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY  
OREGON  
1989 JAN - 3 PM 3:40



# Multnomah County Sheriff's Office

FRED B. PEARCE  
SHERIFF

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

(503) 255-3600

TO: LILLIE WALKER  
PURCHASING

FROM: ROBERT G. SKIPPER, Assistant Sheriff  
Corrections Branch *Robert Skipper*

DATE: December 5, 1988

SUBJECT: REQUEST FOR EXCEPTION OF FORMAL BID PROCESS

*OK, Fred B. Pearce  
12-7-88*

The purpose of this memo is to request an exception from the formal bid process for the walling off of the Living Units at Multnomah County Correctional Facility. What I would like to do is work through Facilities Management to obtain 3 separate estimates for the metal work necessary to wall off the 5 Living Units.

THE REASONS FOR THE EMERGENCY REQUEST IS:

- A. Because the Facility is staffed with as few as 3 people at a time to deal with 186 inmates.
- B. While the 186 number has remained the same since before the New Inverness Jail opened - what has changed significantly is the type of inmates presently housed at MCCF.

The type of inmate has shifted from a misdemeanor type unsentenced inmate, sentenced and work release, to basically a medium security population inmate with the inmate population being primarily unsentenced A, B, and C felons since the opening of the Multnomah County Restitution Center, and most recently the progressive opening of the Inverness Jail.

In the past 30-days we have experienced 3 separate fighting and racial incidents, to include 1 incident wherein a young inmate jumped upon a table after a fight incident between two other inmates was broken up by staff and stated ("lets tear this place up"). The inmates intent was to incite all or the majority of the inmates into joining with him to riot.

Needless to say had this occurred there would not only have been an impossible task to deal regarding all of the inmates with existing staff, or for that matter another 20 staff members.

EXCEPTION OF BID PROCESS

December 5, 1988

page 2

Because of these incidents we must move as rapidly as is possible to wall off each of the Living Units, so that we can attempt to reduce incidents to dealing with one Living Unit of approximately 40 people as is done at the Multnomah County Detention Center, The Courthouse Jail and/or The New Inverness Jail.

While we have temporarily increased the staffing on OT by as many as 1 to 2 Officers per Shift, this is still no match for trying to deal with 186 inmates at once.

Wayne George, Manager of Facilities Management, has met with the County C.I.P. Committee so that Sheriff Pearce could make an emergency request for funding to move forward on this project. The funding was granted to fund the walling off of the dorms and the Public Side of the Control Center which is also a major problem because of no Security Glass between the Public and the Control Center of the facility, therefore, being very vulnerable to an escape if the inmate had help from the outside. I should add that outside help is often obtained in escape attempts.

In conclusion, because of the escalation of a higher risk inmate to and including gang members, and the addition of other jail space i.e. the Restitution Center and Inverness Jail, to include the continued matrix of all lesser risk inmates MCCF has evolved from a minimum security institution to a medium security institution with all the associated risk not by choice but by necessity.

I am requesting that both the walling off of the dorms and the control center security issue be addressed immediately exempt formal bid process.

Should you have additional questions, I would be happy to personally tour the facility and show you these problems to help you make a decision in this matter.

RGS/mgp/9656A

EUROPEAN SECURITY & IRON SPECIALTIES  
1725-G S.E. FRANKLIN  
PORTLAND, OREGON 97202  
234-3701

Multnomah County

Job Address-  
Troutdale, Oregon

European Security agrees to fabricate and deliver 5 units approx.  
20'8" by 9'7½" of segmented steel doors between the sleeping  
rooms and the common areas as follows-

-Material to be used-

Bottom of 2" channel with 1" pins drilled and anchored to  
concrete floor. Channel facing down with horizontal ¼" by 1½"  
flat bar on top, with ¾ by ¾ tube vertical uprights.  
Intermediate horizontal supports at center of door to be 1½  
by 1½ inch tube. Vertical uprights continuing of ¾ by ¾  
tube to standard door height, with 1½ by 1½ horizontal inch  
tube intermediate at door height. Top section starts with ¼  
by 1½ inch flat bar with ¾ by ¾ inch vertical tubes to  
ceiling horizontal of channel to accept a 2x4 wood insert. All  
outside frame to be 1½ by 1½ inch tube. Door frame and jamb  
to be 1½ by 1½ inch tube. See drawing.

-Locking devices are not included.

-All materials to be primed and painted.

-Access to 110 and 220 volt electricity

Total cost per unit	\$ 2,900.00
Installation per unit.	\$ 850.00

Bid good for 30 days.

Thank you,

*Milan Skoro*  
Milan Skoro  
European Security  
12/10/88

# W. H. Cress Company, Inc.

Commercial Building Specialties

SKYLIGHTS  
STAIR NOSING  
METAL LOUVERS  
TOILET PARTITIONS  
TRASH & RUBBISH CHUTES  
FOLDING PARTITIONS  
FOLDING GATES  
FIRE PROTECTION EQUIPMENT  
EXPANSION JOINT COVERS  
TOILET ROOM ACCESSORIES

9966 S.W. Katherine Street  
Tigard, Oregon 97223  
(503) 620-1664

FLAGPOLES  
ROOF SCUTTLES  
LETTER BOXES  
DOCK BUMPERS  
KITCHEN UNITS  
WIRE MESH PARTITIONS  
ENTRANCE MATS  
METAL LETTERS  
PLASTIC SIGNS  
DIRECTORY BOARDS

## PROPOSAL

Multnomah County Corrections  
1906 SW Halsey  
Troutdale, OR 97060  
Lieutenant Stanley Kerney

Date 6/15/88

Location Corrections Facility

JOB: Security Improvements

We propose to furnish the following material which is to be our standard construction unless otherwise noted:

Kane Vantage Wall

<u>5 units 20' 8" wide by 10' 6" high with one 4' wide outswing</u>	<u>\$41,543</u>
<u>door per opening. Lock Hardware by others. Doors will be set</u>	<u>installed</u>
<u>to accept the hardware of your choice.</u>	

\$27,644

freight allowed

All material are F.O.B. Plant with full freight allowed (F/A) to jobsite unless otherwise noted. Installation will be noted if it is included.

Net thirty (30) days. 1½% per month service charge over 30 days - 18% annual.

No Sales Taxes are included in our price.

Accepted

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

Title and Date \_\_\_\_\_

If this Proposal is accepted, please sign and return one copy along with one set of architectural prints, specifications, alternates and addenda.

This quotation will remain in effect for a period of 60 days from this date.

W. H. CRESS COMPANY, INC.

By Steve Barton

**GRAND  
METAL  
PRODUCTS**

2340 S.E. GLADSTONE STREET • PORTLAND, OR 97202 • (503) 235-3105 • FAX 235-3100

December 7, 1988

Multnomah County Facility Management  
2505 S. E. 11th Avenue  
Portland, Oregon 97214

Attention: Randy Shannon

Re: Multnomah County Correction Facility  
Troutdale, Oregon

Dear Sir:

We have the following proposals and options for closing the dorm areas at MCFE. Each unit would be approximately 20'8" wide by 9'6" high and have one 3'0" x 7'0" door. The frame and door would have a steel flat bar frame with 7/8" round bars at 6" on center. Our base proposal includes a manual Folger Adam lock for the door (#80). As you describe the function of these doors, they will be used for inmate control where the inmates need to be segregated. In this mode all doors would be closed and locked by a Correction Officer. The doors would remain locked until the condition has stabilized. At that time the doors would be unlocked. The added cost to electrically unlock the doors appears to be excessive for the usage.

Our cost for the base unit is \$4,582.00 each. The four units come to a total of \$18,328.00. This is delivered to the job site.

To add Folger Adam #122 electric locks to the doors would add \$600.00 per unit, for a total of \$2,400.00.

We also have an option to manufacture the frame from steel channels and angles and use woven wire screen as the infill material. We have chosen 3/16" diameter wire woven at 11/16" on center. This will give you a 52% open area for the screen. Our base price is again based on a manual Folger Adam lock. The add for an electric lock would be the same.

Our cost for the woven wire door and frame is \$2,857.00 each for a total of \$11,428.00.

For both options we have included delivery to the job site. We have not included any installation, nor wiring, nor controls.

One side benefit to the manual lock is that we could mount an auxiliary strike so that the door can be locked in the open position. This is a

10  
WEEKS.  
WITH  
LOCKS  
-----  
6 WEEKS  
w/o LOCK



**GRAND  
METAL  
PRODUCTS**

2340 S.E. GLADSTONE STREET • PORTLAND, OR 97202 • (503) 235-3105 • FAX 235-3100

- 2 -

desirable option on a door that is designed to stand open for long periods.

We can provide you with detailed drawings when the sheriff chooses which option he prefers.

Yours very truly,

GRAND METAL PRODUCTS CORPORATION

**GENE STILES**

Gene Stiles, AHC

GS:JH





# MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS  
ROOM 605, COUNTY COURTHOUSE  
1021 S.W. FOURTH AVENUE  
PORTLAND, OREGON 97204

GLADYS McCOY • Chair • 248-3308  
PAULINE ANDERSON • District 1 • 248-5220  
GRETCHEN KAFOURY • District 2 • 248-5219  
RICK BAUMAN • District 3 • 248-5217  
POLLY CASTERLINE • District 4 • 248-5213  
JANE McGARVIN • Clerk • 248-3277

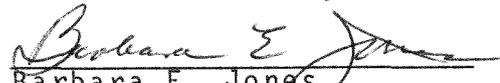
## N O T I C E

On Thursday, January 10, 1988, the Board of County Commissioners sitting as the Public Contract Review Board, will consider applications for Exemption from Public Bidding a Contract to Screen off the Living Units at Multnomah County Correctional Facility for Security of Staff and Inmates, and Riot Control in Facility; and the Purchase of Miscellaneous Electrical Supplies to Complete the Installation of Computer Hardware at Information Services Division

Copies of the applications are attached.

For further information, please call Lillie Walker, Purchasing Director - 248-5111, or Jane McGarvin, Clerk of the Board, - 248-3277.

BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY, OREGON

  
Barbara E. Jones  
Asst. Clerk of the Board

bj  
1/09/89

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON  
ACTING AS THE PUBLIC CONTRACT REVIEW BOARD

In the Matter of Exempting from Public )  
Bidding the Purchase of Miscellaneous )  
Electrical Supplies to Complete the )  
Installation of Computer Hardware at )  
Information Services Division )

A P P L I C A T I O N

Application to the Public Contract Review Board on behalf of a request from DES, Facilities Management Division, is hereby made pursuant to the Board's Administrative Rules AR 10.010, 10.110 adopted under the provisions of ORS 279.015 and 279.017, for an order exempting from the requirements of public bidding the purchase of miscellaneous electrical supplies needed to complete installation of computer hardware at Information Services Division where time was of the essence..

This request is made for the following reasons:

1. In order to avoid disruption of essential computer services support to the County, the installation of \$1 million plus worth of hardware, at Information Services Division (ISD) had to be completed within 2½ days.
2. The original work order did not anticipate all the modifications to the existing electrical systems that were ultimately required to complete installation of the computers.
3. The miscellaneous electrical supplies were needed to complete the necessary modifications to ISD's electrical system for proper installation of the hardware.
4. Where time was of the essence, Facilities Management personnel had to purchase the supplies from the nearest vendor without the benefit of competitive bids.

The Information Services Division has appropriated funds for such supplies in FY 88-89 budget.

Dated this 22nd day of December, 1988.

  
Lillie M. Walker, Director  
Purchasing Section

/cs



# MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS  
ROOM 605, COUNTY COURTHOUSE  
1021 S.W. FOURTH AVENUE  
PORTLAND, OREGON 97204

GLADYS McCOY • Chair • 248-3308  
PAULINE ANDERSON • District 1 • 248-5220  
GRETCHEN KAFOURY • District 2 • 248-5219  
RICK BAUMAN • District 3 • 248-5217  
POLLY CASTERLINE • District 4 • 248-5213  
JANE McGARVIN • Clerk • 248-3277

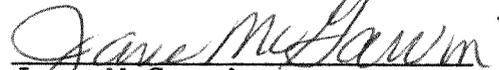
## N O T I C E

On Thursday, January 12, 1989, the Board of County Commissioners sitting as the Public Contract Review Board, approved an order for the Exemption from Public Bidding the Purchase of Miscellaneous Electrical Supplies to Complete the Installation of Computer Hardware at Information Services Division

A copy of the Order is attached.

For further information, please call Lillie Walker, Purchasing Director, at 248-5111, or Jane McGarvin, Clerk of the Board, at 248-3277.

BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY, OREGON

  
Jane McGarvin  
Clerk of the Board

jm  
1/26/89

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON  
ACTING AS THE PUBLIC CONTRACT REVIEW BOARD

In the Matter of Exempting From Public )  
Bidding a Contract to Screen Off the Living )  
Units at the Multnomah County Correctional )  
Facility for the Security of Staff and )  
Inmates, and Control in the Facility )

O R D E R

#89-5

The above entitled matter is before the Board of County Commissioners, acting in its capacity as the Multnomah County Public Contract Review Board, to consider a request from DES, Facilities Management Division, on behalf of the Multnomah County Sheriff's Office for an order exempting from the requirement of public bidding a contract to wall off the Living Units at the Multnomah County Correctional Facility for inmate control in the event of a riot.

It appearing to the Board that the recommendation for exemption, as it appears in the application, is based upon the fact that the type of inmate currently jailed at MCCF has recently changed from lower risk misdemeanor to high risk felon. In the past 30 days, there have been 3 separate fighting and racial incidents. During one of those incidents, an inmate attempted to incite a full-scale riot. Without the ability to secure the inmates to their respective Living Units, the current staff of 3-5 could not prevent such a riot. The cost for this contract for all 5 living units is \$18,750.00, and this represents the most cost-effective method of mitigating this risk to public safety, and is not likely to encourage favoritism.

It appearing to the Board that this request for an exemption is in accord with the requirements of the Multnomah County Public Contract Review Board Administrative Rules AR 10.100, 20.030 and 30.010; it is, therefore

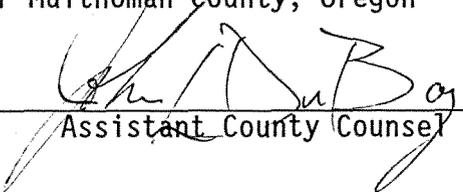
**ORDERED** that this emergency work be exempted from the requirement of public bidding.

Dated this 12th day of January, ~~1988~~ 1989

**APPROVED AS TO FORM:**

LAURENCE KRESSEL, County Counsel  
for Multnomah County, Oregon

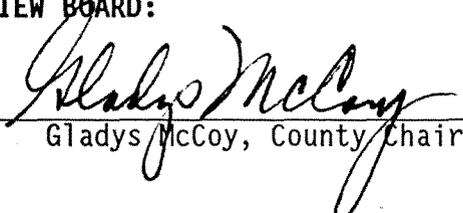
By

  
Assistant County Counsel

/cs

**BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON  
ACTING AS THE PUBLIC CONTRACT  
REVIEW BOARD:**

By

  
Gladys McCoy, County Chair

(SEAL)



MULTNOMAH COUNTY OREGON

89  
5162

BOARD OF COUNTY COMMISSIONERS  
ROOM 605, COUNTY COURTHOUSE  
1021 S.W. FOURTH AVENUE  
PORTLAND, OREGON 97204

GLADYS McCOY • Chair • 248-3308  
PAULINE ANDERSON • District 1 • 248-5220  
GRETCHEN KAFOURY • District 2 • 248-5219  
RICK BAUMAN • District 3 • 248-5217  
POLLY CASTERLINE • District 4 • 248-5213  
JANE McGARVIN • Clerk • 248-3277

January 12, 1989

Ms. Linda Alexander, Director  
Department of General Services  
1120 SW Fifth  
Portland, OR

Dear Ms. Alexander:

Be it remembered, that at a meeting of the Board of County Commissioners held January 12, 1989, the following action was taken:

In the Matter of Exempting from Public Bidding )  
the Purchase of Miscellaneous Electrical Supplies )  
to Complete the Installation of Computer Hardware )  
at Information Services Division R-8 )

O R D E R  
#89-6

Following a brief explanation by Wayne George, Facilities Management Director, and upon motion of Commissioner Anderson, duly seconded by Commissioner Casterline, it is unanimously

ORDERED that said Order be approved.

Very truly yours,

BOARD OF COUNTY COMMISSIONERS

By *Jane McGarvin*  
Jane McGarvin  
Clerk of the Board

jm  
cc: Purchasing  
Facilities & Property Management  
Dept. of Environmental Services

DATE SUBMITTED \_\_\_\_\_

(For Clerk's Use)  
Meeting Date 1/12/89  
Agenda No. 12-8

REQUEST FOR PLACEMENT ON THE AGENDA

JAN 3 1989

Subject: Emergency Exemption Request

Informal Only \* \_\_\_\_\_  
(Date)

Formal Only \_\_\_\_\_  
(Date)

DEPARTMENT Environmental Services

DIVISION Facilities Management

CONTACT Jim Emerson/Jan Goddard

TELEPHONE 248-3322/248-5111

\*NAME(s) OF PERSON MAKING PRESENTATION TO BOARD Jim Emerson/Frank Lopez

BRIEF SUMMARY Should include other alternatives explored, if applicable, and clear statement of rationale for the action requested.

Request to the Board of County Commissioners acting as the PCRB, regarding an emergency exemption from the competitive bid process to complete installation of computer hardware for Information Services Division (ISD). ISD and IBM were working together to complete installation of \$1 million plus worth of equipment within 2½ days.

ACTION REQUESTED:

INFORMATION ONLY       PRELIMINARY APPROVAL       POLICY DIRECTION       APPROVAL

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA 5 minutes

IMPACT:

PERSONNEL

FISCAL/BUDGETARY

GENERAL FUND

OTHER \_\_\_\_\_

*Mailed 1/27/89*

BOARD OF  
COUNTY COMMISSIONERS  
MULTNOMAH COUNTY  
OREGON  
1989 JAN - 3 PM 3:40

SIGNATURES:

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: [Signature]

BUDGET / PERSONNEL [Signature]

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) [Signature]

OTHER [Signature]  
(Purchasing, Facilities Management, etc.)

NOTE: If requesting unanimous consent, state situation requiring emergency action on back.

CS:122088



# MULTNOMAH COUNTY OREGON

DEPARTMENT OF ENVIRONMENTAL SERVICES  
DIVISION OF FACILITIES AND  
PROPERTY MANAGEMENT  
2505 S.E. 11TH AVENUE  
PORTLAND, OREGON 97202  
(503) 248-3322

GLADYS McCOY  
MULTNOMAH COUNTY CHAIR

## MEMORANDUM

TO: Jan Goddard  
Purchasing Section

FROM: L. Don Faulkner *L.D.F.*  
Electrical Supervisor

DATE: November 23, 1988

RE: JOB NO. T157, INSTALL 2 RUSSEL & STOWE 3 PHASE 208V ELECTRICAL  
CONNECTORS #7324 IN COMPUTER ROOM

When we arrived at the job site to take a look at the necessary electrical work to be done, we found that ISD had purchased close to a million dollars worth of equipment, which had to be installed within 2½ days, and running. As you can see, we did not have time to go out for bids to purchase needed materials for this project.

Some of the equipment, such as the large pieces of equipment, I was able to go out and obtain prices, and I was able to get bids on parts such as the distribution panel, the breaker for that, and miscellaneous wiring, etc. We went to the closest vendor and that was Grogbar. I had the whole crew on this job, and had to have it finished by November 7. I needed to use the closest vendor so that I would be able to get this job done, or at least 95 percent completed, so that it would be in operation on Monday morning.

That is the reason why we did not spend more time running around looking for parts and prices, as we did not have the time to do this if we were going to complete the project on time.

On the job request, all that was said was that two connectors and outlets were needed, but the job was a major overhaul. We needed a 225 amp service and all the related parts to go with it. To do this job, we had to get on the ball to get the job done.

If you have any questions, please contact me.

LDF:CLS



# MULTNOMAH COUNTY OREGON

DEPARTMENT OF ENVIRONMENTAL SERVICES  
DIVISION OF FACILITIES AND  
PROPERTY MANAGEMENT  
2505 S.E. 11TH AVENUE  
PORTLAND, OREGON 97202  
(503) 248-3322

## MEMORANDUM

GLADYS McCOY  
MULTNOMAH COUNTY CHAIR

TO: Lillie Walker, Manager, Purchasing  
Department of General Services

FROM: L. Don Faulkner *LDZ*  
Electrical Supervisor

DATE: December 12, 1988

RE: Job No. T157, Install 2 Russel & Stowe 3 Phase 208V  
Electrical Connectors #7324 in Computer Room

As I explained in my November 23 memorandum, copy of which I am attaching, I am at this time requesting an exemption, due to the fact that we did not go to various wholesalers requesting quotes on miscellaneous items.

As I pointed out to Jan in the previous memorandum, this job was one that had to be done as soon as possible for ISD. We had people from International Business Machines there, and other members of ISD team to put the project together. We were able to do our share and to accomplish this work by going to the nearest electrical wholesaler on 60th and purchase the miscellaneous items we needed to fulfill our obligations to this project.

As previously explained, we did not have time to go to various wholesalers looking for prices for these miscellaneous items so that we could do our work.

At this time I am requesting an exemption for this action. This job was completed on time due to the efficiency of the electrical department, and the expertise of the IBM and ISD people. As you will note I solicited quotes on the larger items for this project.

I hope that you will grant this exemption as you will see the necessity of this action. If you would prefer a verbal rundown as to what has transpired, please contact me, and I will be glad to answer any questions you have.



# MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS  
ROOM 605, COUNTY COURTHOUSE  
1021 S.W. FOURTH AVENUE  
PORTLAND, OREGON 97204

GLADYS McCOY •	Chair	• 248-3308
PAULINE ANDERSON •	District 1	• 248-5220
GRETCHEN KAFOURY •	District 2	• 248-5219
RICK BAUMAN •	District 3	• 248-5217
POLLY CASTERLINE •	District 4	• 248-5213
JANE McGARVIN •	Clerk	• 248-3277

## N O T I C E

On Thursday, January 10, 1988, the Board of County Commissioners sitting as the Public Contract Review Board, will consider applications for Exemption from Public Bidding a Contract to Screen off the Living Units at Multnomah County Correctional Facility for Security of Staff and Inmates, and Riot Control in Facility; and the Purchase of Miscellaneous Electrical Supplies to Complete the Installation of Computer Hardware at Information Services Division

Copies of the applications are attached.

For further information, please call Lillie Walker, Purchasing Director - 248-5111, or Jane McGarvin, Clerk of the Board, - 248-3277.

BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY, OREGON

Barbara E. Jones  
Asst. Clerk of the Board

bj  
1/09/89

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON  
ACTING AS THE PUBLIC CONTRACT REVIEW BOARD**

In the Matter of Exempting from Public )  
Bidding a Contract to Screen off the )  
Living Units at Multnomah County )  
Correctional Facility for Security of )  
Staff and Inmates, and Riot Control in )  
the Facility )

**A P P L I C A T I O N**

Application to the Public Contract Review Board on behalf of a request from DES, Facilities Management Division, for the Multnomah County Sheriff's Office is hereby made pursuant to the Board's Administrative Rules AR 10.010, 10.110 adopted under the provisions of ORS 279.015 and 279.017, for an order exempting from the requirements of public bidding a contract to fabricate and install metal screens to wall off living units at the Multnomah County Correctional Facility to preserve the public health and safety of inmate residents and Correctional Officers assigned to the facility.

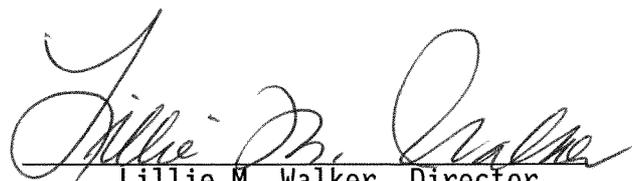
This request is made for the following reasons:

1. The inmate population at Multnomah County Correctional Facility (MCCF) has changed from work release misdemeanants to higher risk, primarily unsentenced Class A, B, and C, felons.
2. In the past 30 days there have been three separate racial and fighting incidents, with one attempted riot.
3. In the event of a riot, MCCF staff (3-5 per shift) currently lack the ability to secure inmates in their respective living areas due to a lack of structural separation of the areas. MCCF staff presently face the possibility of trying to simultaneously control all 186 inmates in the event of a major incident.
4. Written competitive quotes have been solicited from three contractors qualified to provide and install the metal screens.
5. There is a present risk to public health and safety, due to the incarceration of higher risk inmates, which now necessitates the erection of the metal walls.

The Capital Improvement Projects Committee has appropriated funds in FY 88-89 budget.

The Purchasing Section recommends this action as it represents the most cost effective method of mitigating this risk to public health and safety and the alternative contracting method does not encourage favoritism where three written quotes have been received for the work.

Dated this 20th day of December, 1988.

  
Lillie M. Walker, Director  
Purchasing Section



# MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS  
ROOM 605, COUNTY COURTHOUSE  
1021 S.W. FOURTH AVENUE  
PORTLAND, OREGON 97204

GLADYS McCOY • Chair • 248-3308  
PAULINE ANDERSON • District 1 • 248-5220  
GRETCHEN KAFOURY • District 2 • 248-5219  
RICK BAUMAN • District 3 • 248-5217  
POLLY CASTERLINE • District 4 • 248-5213  
JANE MCGARVIN • Clerk • 248-3277

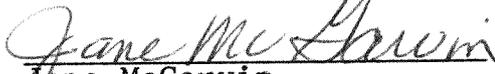
## N O T I C E

On Thursday, January 12, 1989, the Board of County Commissioners sitting as the Public Contract Review Board, approved an order for the Exemption from Public Bidding a Contract to Screen off the Living Units at Multnomah County Correctional Facility for Security of Staff and Inmates, and Riot Control in Facility

A copy of the Order is attached.

For further information, please call Lillie Walker, Purchasing Director, at 248-5111, or Jane McGarvin, Clerk of the Board, at 248-3277.

BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY, OREGON

  
Jane McGarvin  
Clerk of the Board

jm  
1/26/89

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON  
ACTING AS THE PUBLIC CONTRACT REVIEW BOARD

In the Matter of Exempting From Public )  
Bidding the Purchase of Miscellaneous )  
Electrical Supplies to Complete the )  
Installation of Computer Hardware at )  
Information Services Division )

O R D E R

#89-6

The above entitled matter is before the Board of County Commissioners, acting in its capacity as the Multnomah County Public Contract Review Board, to review, pursuant to AR 10.110, a declaration of emergency for the purchase of miscellaneous electrical supplies to complete the installation of computer hardware at Information Services Division at a total cost of \$2,157.43.

It appearing to the Board that the declaration of emergency, as it appears in this order, is based upon the fact that in order to avoid disruption of essential computer services support to the County, over \$1 million worth of computer hardware had to be installed within 2½ days. And in order to accomplish that installation, additional electrical supplies, not anticipated in the original workorder, had to be purchased from the nearest vendor.

It appearing to the Board that the declaration of emergency is in accord with the requirements of the Multnomah County Public Contract Review Board Administrative Rules AR 10.110, and 30.010; it is, therefore,

**ORDERED** that the purchase of the miscellaneous electrical supplies be exempted from the requirement of public bidding.

Dated this 12th day of January , ~~1988~~ 1989

**APPROVED AS TO FORM:**

LAURENCE KRESSEL, County Counsel  
for Multnomah County, Oregon

By

  
Assistant County Counsel

**BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON  
ACTING AS THE PUBLIC CONTRACT  
REVIEW BOARD:**

By

  
Gladys McCoy, County Chair

(SEAL)

/cs

90  
J162



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS  
ROOM 605, COUNTY COURTHOUSE  
1021 S.W. FOURTH AVENUE  
PORTLAND, OREGON 97204

GLADYS McCOY • Chair • 248-3308  
PAULINE ANDERSON • District 1 • 248-5220  
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RICK BAUMAN • District 3 • 248-5217  
POLLY CASTERLINE • District 4 • 248-5213  
JANE McGARVIN • Clerk • 248-3277

January 12, 1989

Ms. Linda Alexander, Director  
Department of General Services  
1120 SW Fifth  
Portland, OR

Dear Ms. Alexander:

Be it remembered, that at a meeting of the Board of County Commissioners held January 12, 1989, the following action was taken:

Request of the Director of General Services for )  
approval of Budget Modification DGS #9 reclass- )  
ifying three positions within Finance Division, )  
1) reclassify vacant position Finance Technician )  
in Treasury to Finance Specialist 1; 2) reclass- )  
ify two OA 3 positions in Payroll - 1 position to )  
Finance Technician and 2 positions to Finance )  
Specialist 1 R-9 )

Upon motion of Commissioner Anderson, duly seconded by Commissioner Bauman, it is unanimously

ORDERED that said request be approved, and budget modification be implemented.

Very truly yours,

BOARD OF COUNTY COMMISSIONERS

By Jane McGarvin  
Jane McGarvin  
Clerk of the Board

jm  
cc: Budget  
Finance  
Employee Services

1. REQUEST FOR PLACEMENT ON THE AGENDA FOR \_\_\_\_\_ (Date) \_\_\_\_\_  
 DEPARTMENT General Services DIVISION Finance  
 CONTACT Lloyd Williams TELEPHONE x5015  
 \*NAME(S) OF PERSON MAKING PRESENTATION TO BOARD Lloyd Williams

SUGGESTED

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

Budget modification DGS 9 requests a reclassification of three positions within the Finance Division.

(Estimated Time Needed on the Agenda)

2. DESCRIPTION OF MODIFICATION (Explain the changes this Bud Mod makes. What budget does it increase? What do the changes accomplish? Where does the money come from? What budget is reduced? Attach additional information if you need more space.)  
 PERSONNEL CHANGES ARE SHOWN IN DETAIL ON THE ATTACHED SHEET

This modification reflects a reclassification of a vacant Finance Technician in Treasury to a Finance Specialist 1, and a reclassification of two Office Assistant 3 positions in Payroll - one to a Finance Technician and the other to Finance Specialist 1.

These changes are a result of restructuring of responsibilities in Treasury and Payroll and are funded through salary savings.

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

*To Budget  
3/14/89*

BOARD OF COUNTY COMMISSIONERS  
 MULTNOMAH COUNTY  
 OREGON  
 1989 JAN - 3 PM 3:41

4. CONTINGENCY STATUS (to be completed by Finance/Budget)  
 Contingency before this modification (as of \_\_\_\_\_) \$ \_\_\_\_\_  
 (Specify Fund) \_\_\_\_\_ (Date) \_\_\_\_\_  
 After this modification \$ \_\_\_\_\_

Originated By <i>David C. Brown</i>	Date <i>12/29/88</i>	Department Director <i>Barbara E. Jones</i>	Date <i>12/30/88</i>
Finance/Budget <i>David C. Brown</i>	Date <i>12/29/88</i>	Employee Relations <i>David C. Brown</i>	Date <i>12/29/88</i>
Board Approval <i>Barbara E. Jones</i>	Date <i>1/12/89</i>		

PERSONNEL DETAIL FOR BUD MOD NO. DGS 9

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

FTE Increase (Decrease)	POSITION TITLE	Annualized		
		BASE PAY Increase (Decrease)	FRINGE Increase (Decrease)	TOTAL Increase (Decrease)
(2)	Office Assistant 3	(43,354)	(14,401)	(57,755)
(1)	Finance Technician	(24,091)	( 8,058)	(32,149)
1	Finance Technician	22,717	7,682	30,399
2	Finance Technician 1	50,362	16,433	66,795
0	TOTAL CHANGE (ANNUALIZED)	5,634	1,656	7,290

6. CURRENT YEAR PERSONNEL DOLLAR CHANGES (calculate costs or savings that will take place within this fiscal year; these should explain the actual dollar amounts being changed by this Bud Mod.)

Full Time Positions, Part-Time, Overtime, or Premium	Explanation of Change	Current FY		
		BASE PAY Increase (Decrease)	FRINGE Increase (Decrease)	TOTAL Increase (Decrease)
(1) OA 3 1 Finance Tech	Reclass in Payroll	520	151	671
(1) OA 3 1 Fin Spec 1	Reclass in Payroll	1,752	254	2,006
(1) Fin Tech 1 Fin Spec 1	Reclass in Treasury	545	158	703
No change in appropriation is needed. The \$3,380 increase in the cost of these positions will be offset in 1988-89 by salary savings from turnover in Treasury and Finance Administration.				

REQUEST TO CREATE/RECLASSIFY A POSITION

- 1. List the proposed duties of the position (please do not copy from the class specification):
  - a. Coordinate and prepare payroll related functions with ISD and other County organizations.
  - b. Prepare all Federal, State PERS Unemployment Workers' Comp reports and payment vouchers.
  - c. Assist payroll supervisor in other payroll related tasks and special assignments.
  - d. Maintain payroll records and reconcile payroll related reports.
  - e. Maintain investment/trust records and reconcile with General Ledger.
  - f. Make daily investment decisions, where appropriate, to minimize idle cash balances.
  - g. Assist Treasury Manager with other related cash/investment/distribution management tasks and special assignments.
  - h. Prepare audit schedules for annual audit.
  - i. Act as Payroll/Treasury supervisor as needed.

2. State the proposed classification title:

Financial Specialist I

3. Is this a new position?   / Yes   X  / No

4. If this is an existing position, state the name of the incumbent:

VACANT

5. Proposed effective date of change: January 1, 1989

Hiring Manager: Patricia Shaw

Date: 12/29/88 Department/Division: DGS/Finance

\*\*\*\*\*

EMPLOYEE SERVICES DIVISION USE ONLY:

Action:  Approved as submitted

Approved for classification title

Denied (for Reclassification Requests only)

Analyst Name: [Signature]

Date: 12/29/88

REQUEST TO CREATE/RECLASSIFY A POSITION

- 1. List the proposed duties of the position (please do not copy from the class specification):
  - a. Coordinate and prepare payroll related functions with ISD and other County organizations.
  - b. Prepare all Federal, State PERS Unemployment Workers' Comp reports and payment vouchers.
  - c. Assist payroll supervisor in other payroll related tasks and special assignments.
  - d. Maintain payroll records and reconcile payroll related reports.
  - e. Maintain investment/trust records and reconcile with General Ledger.
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  - g. Assist Treasury Manager with other related cash/investment/distribution management tasks and special assignments.
  - h. Prepare audit schedules for annual audit.
  - i. Act as Payroll/Treasury supervisor as needed.

2. State the proposed classification title:

Financial Specialist I

3. Is this a new position?   / Yes   / No

4. If this is an existing position, state the name of the incumbent:

VACANT

5. Proposed effective date of change: January 1, 1989

Hiring Manager: Patricia Shaw

Date: 12/29/88 Department/Division: DGS/Finance

\*\*\*\*\*

EMPLOYEE SERVICES DIVISION USE ONLY:

- Action:  Approved as submitted
- / Approved for classification title
- / Denied (for Reclassification Requests only)

Analyst Name: [Signature] Date: 12/29/88

REQUEST TO CREATE/RECLASSIFY A POSITION

- 1. List the proposed duties of the position (please do not copy from the class specification):
  - a. Coordinate and monitor payroll functions with ISD and other County organizations.
  - b. Assist Payroll supervisor with other related payroll tasks and special assignments.
  - c. Maintain payroll records and reconcile related reports.
  - d.
  - e.

Use the reverse side or attach additional sheets, if needed.

2. State the proposed classification title:

Financial Technician

3. Is this a new position?   / Yes   / No

4. If this is an existing position, state the name of the incumbent:

CHRIS CAMERON

5. Proposed effective date of change: January 1, 1989

Hiring Manager: Patricia Shaw

Date: 12/29/88 Department/Division: DGS/Finance

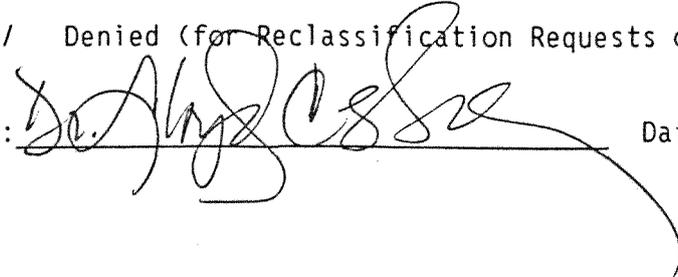
\*\*\*\*\*

EMPLOYEE SERVICES DIVISION USE ONLY:

Action:   / Approved as submitted

  / Approved for classification title

  / Denied (for Reclassification Requests only)

Analyst Name:  Date: 12/29/88

MAR 15 1989

1/12/89

RECEIVED FROM

JANE MCGARVIN

CLERK, BOARD OF COUNTY COMMISSIONERS . MULTNOMAH COUNTY, OREGON

BUDGET

BUDGET MODIFICATION DGS #9 APPROVED

R-9

BOARD OF  
COUNTY COMMISSIONERS  
1989 OCT 31 AM 11:38  
MULTNOMAH COUNTY  
OREGON

Kathleen Nash 10/27/89

Form CC-2

PLEASE SIGN & RETURN THIS RECEIPT TO COMMISSIONERS OFFICE



DATE SUBMITTED \_\_\_\_\_

(For Clerk's Use)  
Meeting Date 1/12/89  
Agenda No. R-10

REQUEST FOR PLACEMENT ON THE AGENDA

Subject: Support of Equal & Fair Treatment of All Citizens

Informal Only\* January 10, 1989  
(Date)

Formal Only January 12, 1989  
(Date)

DEPARTMENT Chair DIVISION \_\_\_\_\_

CONTACT B. Donin TELEPHONE 248 3308

\*NAME(s) OF PERSON MAKING PRESENTATION TO BOARD B. Donin et. al.

BRIEF SUMMARY Should include other alternatives explored, if applicable, and clear statement of rationale for the action requested.

Reaffirmation of earlier (October 1987) Resolution supporting equal and fair treatment of all citizens regardless of race, religion, or sexual orientation. Further the resolution highlights the City of Unity Rainbow Rally to be held January 17th, 1989 at noon in Pioneer Courthouse Square.

(IF ADDITIONAL SPACE IS NEEDED, PLEASE USE REVERSE SIDE)

ACTION REQUESTED:

INFORMATION ONLY  PRELIMINARY APPROVAL  POLICY DIRECTION

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA \_\_\_\_\_

IMPACT:

PERSONNEL  
 FISCAL/BUDGETARY  
 General Fund  
 Other \_\_\_\_\_

1989 JAN 5 AM 11:24  
MULTI-JURISDICTIONAL COUNTY OREGON  
BOARD OF COUNTY COMMISSIONERS  
APPROVAL

SIGNATURES:

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: *[Signature]*

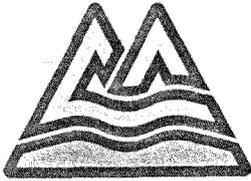
BUDGET / PERSONNEL \_\_\_\_\_

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) *[Signature]*

OTHER \_\_\_\_\_  
(Purchasing, Facilities Management, etc.)

NOTE: If requesting unanimous consent, state situation requiring emergency action on back.





# MULTNOMAH COUNTY OREGON

90  
5/16/2

BOARD OF COUNTY COMMISSIONERS  
ROOM 605, COUNTY COURTHOUSE  
1021 S.W. FOURTH AVENUE  
PORTLAND, OREGON 97204

GLADYS McCOY • Chair • 248-3308  
PAULINE ANDERSON • District 1 • 248-5220  
GRETCHEN KAFOURY • District 2 • 248-5219  
RICK BAUMAN • District 3 • 248-5217  
POLLY CASTERLINE • District 4 • 248-5213  
JANE McGARVIN • Clerk • 248-3277

January 12, 1989

Mr. Paul Yarborough, Director  
Department of Environmental Services  
2115 SE Morrison  
Portland, OR

Dear Mr. Yarborough:

Be it remembered, that at a meeting of the Board of County Commissioners held January 12, 1989, the following action was taken:

First Reading - An Ordinance establishing a )  
recycling program within County Facilities R-11)

Copies of the above-entitled Ordinance were available to all persons wishing a copy. Ordinance was read by title only.

A hearing was held; no one wished to testify.

Commissioner Anderson noted Ordinance Section II(B) lists types of recyclable materials; requested that the third sentence be deleted because there are some concerns about some of the materials listed. She submitted a revised ordinance which shows the sentence deleted. She moved approval of the proposed substitute ordinance.

Laurence Kressel, County Counsel, advised a second reading will be needed, and asked if the revised copy was marked for identification.

Commissioner Anderson replied the revised Ordinance is marked with the date (1/12/89/7) at the bottom of the last page.

Commissioner Bauman seconded the motion.

Commissioner Anderson noted that the County has had recycling in the County for a long time, that this ordinance will organize the program to be compatible with that of the City of Portland; and she feels that this is a move toward an organized effort in which everyone is involved.

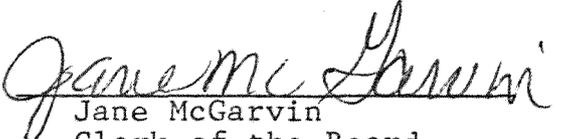
Commissioner McCoy commended Commissioner Anderson, and her staff for their efforts in developing the ordinance.

At this time, the motion was considered, and it is unanimously

ORDERED that said First Reading, as revised, be approved, and the Second Reading be heard January 19, 1989 at 9:30 a.m. in Room 602 of the County Courthouse.

Very truly yours,

BOARD OF COUNTY COMMISSIONERS

By   
Jane McGarvin  
Clerk of the Board

jm  
cc: County Counsel  
Facilities & Property Management

DATE SUBMITTED \_\_\_\_\_

(For Clerk's Use)  
Meeting Date 1/12/89  
Agenda No. R-11

REQUEST FOR PLACEMENT ON THE AGENDA and 1/19/89 R-6

Subject: Recycling in County Facilities

Informal Only\* \_\_\_\_\_  
(Date)

Formal Only \_\_\_\_\_  
(Date)

DEPARTMENT Environmental Services DIVISION Facilities & Property Mgt.

CONTACT Martin Winch / Wayne George TELEPHONE x 5008 / x 3322

\*NAME(S) OF PERSON MAKING PRESENTATION TO BOARD Martin Winch / Wayne George

BRIEF SUMMARY Should include other alternatives explored, if applicable, and clear statement of rationale for the action requested.

An ordinance establishing a recycling program within County facilities. The goal: recovery of an optimum quantity of recyclable materials used in County operations. The Facilities & Property Management Division of D.E.S. would have primary responsibility. Each Department would be responsible for its employees' participation. Revenue shall be used to offset associated costs. There would be an annual report to the Board.

(IF ADDITIONAL SPACE IS NEEDED, PLEASE USE REVERSE SIDE)

ACTION REQUESTED:

- INFORMATION ONLY
- PRELIMINARY APPROVAL
- POLICY DIRECTION
- APPROVAL

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA 20 minutes

IMPACT:

PERSONNEL

- FISCAL/BUDGETARY
- General Fund

Other \_\_\_\_\_

SIGNATURES:

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: Pauline Anderson

BUDGET / PERSONNEL \_\_\_\_\_

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) [Signature]

OTHER \_\_\_\_\_  
(Purchasing, Facilities Management, etc.)

NOTE: If requesting unanimous consent, state situation requiring emergency action on back.

BOARD OF  
 COUNTY COMMISSIONERS  
 MULTNOMAH COUNTY  
 OREGON  
 1989 JAN - 5 AM 10:19

*Substituted*

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

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

An ordinance establishing a recycling program within County facilities.

Multnomah County ordains as follows:

SECTION I. FINDINGS

- A. Recycling benefits the local environment by conserving natural resources and energy and by reducing pollution of air and water.
- B. Recycling benefits the local economy by creating jobs in collecting and processing recyclable materials and by enabling the use of recyclable materials in local manufacturing.
- C. Recycling saves space in landfills.
- D. The Oregon Legislature has declared that the opportunity to recycle should be provided to every person in Oregon.
- E. The Oregon Legislature has established priority in methods of managing solid waste as follows: 1) reduce the amount of solid waste generated; 2) reuse material for the purpose it was originally intended; 3) recycle material that cannot be reused; 4) recover energy; and 5) landfill.
- F. Recycling in County facilities can recover recyclable materials and reduce the amount of County government's solid waste which is disposed of by incineration and by landfill.
- G. Sale of recycled materials may generate revenue toward offsetting costs associated with recycling.
- H. A Multnomah County recycling program will benefit local citizens and taxpayers by serving as a model to increase recycling by local citizens, institutions and businesses, and by strengthening markets for recycled materials.
- I. The City of Portland is contemporaneously establishing a recycling program within City facilities. The County and City jointly occupy facilities. A joint approach to recycling within local government facilities is now feasible and desirable.

SECTION II. RECYCLING PROGRAM

A. Each Department shall establish management practices which minimize the volume of solid waste it generates.

B. Multnomah County hereby establishes a recycling program within its facilities. The goal of this program is recovery of all recyclable materials used in County operations.

C. The Department of Environmental Services shall be responsible: 1) for planning, implementation and inter-departmental co-ordination of the recycling program; 2) to provide containers which conserve space and are not unsightly; 3) to arrange regular and timely central collection of recycled materials from each facility; 4) to arrange for periodic training in recycling; and 5) to seek to recycle jointly with the City of Portland, and with other jurisdictions.

D. Each Department shall be responsible for its employees' participation in the recycling program, and for the routine operation of the program within areas assigned to its employees.

E. The Department of Environmental Services shall give the Board an annual recycling report, including an overall description of the recycling program, quantities recovered and recoverable at each facility, revenue and costs, and recommendations for improvements to the program.

SECTION III. AMENDMENT

Multnomah County Code 2.30.200 is amended to add:

(J) Plan, implement and coordinate the County's recycling program.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 1989, being the date of its second reading before the Board of County Commissioners of Multnomah County.

BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY, OREGON

(SEAL)

By \_\_\_\_\_  
Gladys McCoy  
Multnomah County Chair

APPROVED AS TO FORM:

Laurence Kressel, County Counsel  
for Multnomah County, Oregon

By \_\_\_\_\_

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

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

An ordinance establishing a recycling program within County facilities.

Multnomah County ordains as follows:

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- I. The City of Portland is contemporaneously establishing a recycling program within City facilities. The County and City jointly occupy facilities. A joint approach to recycling within local government facilities is now feasible and desirable.

SECTION II. RECYCLING PROGRAM

A. Each Department shall establish management practices which minimize the volume of solid waste it generates.

B. Multnomah County hereby establishes a recycling program within its facilities. The goal of this program is recovery of all recyclable materials used in County operations. ~~Recyclable materials include paper, cardboard, motor oil, glass, scrap metals, asphalt, and plastics including polystyrene foam.~~

C. The Department of Environmental Services shall be responsible: 1) for planning, implementation and inter-departmental co-ordination of the recycling program; 2) to provide containers which conserve space and are not unsightly; 3) to arrange regular and timely central collection of recycled materials from each facility; 4) to arrange for periodic training in recycling; and 5) to seek to recycle jointly with the City of Portland, and with other jurisdictions.

D. Each Department shall be responsible for its employees' participation in the recycling program, and for the routine operation of the program within areas assigned to its employees.

E. The Department of Environmental Services shall give the Board an annual recycling report, including an overall description of the recycling program, quantities recovered and recoverable at each facility, revenue and costs, and recommendations for improvements to the program.

SECTION III. AMENDMENT

Multnomah County Code 2.30.200 is amended to add:

(J) Plan, implement and coordinate the County's recycling program.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 1989, being the date of its second reading before the Board of County Commissioners of Multnomah County.

BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY, OREGON

(SEAL)

By \_\_\_\_\_

Gladys McCoy  
Multnomah County Chair

APPROVED AS TO FORM:

Laurence Kressel, County Counsel  
for Multnomah County, Oregon

By \_\_\_\_\_

1/5/89/6  
page 2 of 2.



MULTNOMAH COUNTY OREGON

96-91  
J162

BOARD OF COUNTY COMMISSIONERS  
ROOM 605, COUNTY COURTHOUSE  
1021 S.W. FOURTH AVENUE  
PORTLAND, OREGON 97204

GLADYS McCOY • Chair • 248-3308  
PAULINE ANDERSON • District 1 • 248-5220  
GRETCHEN KAFOURY • District 2 • 248-5219  
RICK BAUMAN • District 3 • 248-5217  
POLLY CASTERLINE • District 4 • 248-5213  
JANE MCGARVIN • Clerk • 248-3277

January 12, 1989

Ms. Linda Alexander, Director  
Department of General Services  
1120 SW Fifth  
Portland, OR

Dear Ms. Alexander:

Be it remembered, that at a meeting of the Board of County Commissioners held January 12, 1989, the following action was taken:

First Reading - An Ordinance concerning the )  
organization and functions of the Office of )  
County Counsel and repealing MCC 2.30.450(H) ) R-12

Copies of the above-entitled Ordinance were available to all persons wishing a copy. Ordinance was read by title only.

A hearing was held; no one wished to testify.

Commissioner Bauman moved, duly seconded by Commissioner Anderson, that the above-entitled matter be approved.

Commissioner Anderson commented that she hoped the Chair will not continue to assume supervision for any more Divisions because she feels that it is not appropriate, and puts too much burden on the Chair. However, she agrees the move for the Office of County Counsel is appropriate at this time.

At this time, the motion was considered, and it is unanimously

ORDERED that said First Reading be approved, and the Second Reading be heard January 19, 1989 at 9:30 a.m. in Room 602 of the County Courthouse.

Very truly yours,

BOARD OF COUNTY COMMISSIONERS

By Jane McGarvin  
Jane McGarvin  
Clerk of the Board

jm  
cc: County Counsel  
Commissioner McCoy

DATE SUBMITTED 1/5/89

(For Clerk's Use)

Meeting Date 1/12/89

Agenda No. R-12

REQUEST FOR PLACEMENT ON THE AGENDA 2nd 1/19/89 R-7

Subject: Ordinance concerning organization and functions of the Office of County Counsel

Informal Only\* \_\_\_\_\_  
(Date)

Formal Only 1/12/89  
(Date)

DEPARTMENT Office of the County Chair DIVISION \_\_\_\_\_

CONTACT Hank Miggins TELEPHONE 248-3308

\*NAME(s) OF PERSON MAKING PRESENTATION TO BOARD Larry Kressel, Hank Miggins

BRIEF SUMMARY Should include other alternatives explored, if applicable, and clear statement of rationale for the action requested.

First Reading of an ordinance concerning the organization and functions of the Office of County Counsel and repealing MCC 2.30.450(H).

(IF ADDITIONAL SPACE IS NEEDED, PLEASE USE REVERSE SIDE)

ACTION REQUESTED:

INFORMATION ONLY  PRELIMINARY APPROVAL  POLICY DIRECTION  APPROVAL

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA \_\_\_\_\_

IMPACT:

PERSONNEL  
 FISCAL/BUDGETARY  
 General Fund  
 Other \_\_\_\_\_

SIGNATURES:

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: Bladys Mc Coy

BUDGET / PERSONNEL \_\_\_\_\_

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) [Signature]

OTHER \_\_\_\_\_  
(Purchasing, Facilities Management, etc.)

MULTI-COUNTY  
OREGON  
1989 JAN -5 AM 11:25  
BOARD OF  
COUNTY COMMISSIONERS

NOTE: If requesting unanimous consent, state situation requiring emergency action on back.

BEFORE THE BOARD OF COMMISSIONERS

FOR THE COUNTY OF MULTNOMAH

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

An Ordinance concerning the organization and functions of the Office of County Counsel and repealing MCC 2.30.450(H).

Multnomah County ordains as follows:

Section 1. Office of County Counsel

A. The County Counsel function shall consist of the County Counsel and such assistants as are necessary to perform the functions of the office.

B. The County Counsel shall be appointed and may be removed by the Chair, who shall consult with the Board prior to making the appointment or removal.

C. Assistant County Counsels and support staff shall be appointed by the County Counsel.

D. The County Counsel and all Assistant County Counsels shall be members in good standing of the Bar of the State of Oregon.

E. The County Counsel shall be the Chief Legal Officer of the County

F. The County Counsel function shall be organizationally part of the Office of the Chair and subject to the Chair's general administrative supervision.

G. Nothing in this ordinance is intended to abrogate the authority of the Board of Commissioners to retain counsel in accordance with ORS 203.145.

Section 2. Duties

The County Counsel shall have the following duties:

(1) Appear for, represent and defend the County, its boards and commissions, officers and employees and other persons entitled to County representation under the Oregon Tort Claims Act in all appropriate civil law proceedings;

(2) Draft or review all ordinances, resolutions, rules, orders, contracts, bonds, conveyances, deeds and other legally binding instruments to which the County is a party;

(3) Give advice and opinions orally and in writing, on matters of a civil nature in connection with the functions of the county, its officials and employees;

(4) Retain and, as appropriate, supervise and coordinate the services of outside legal counsel when necessary.

### Section 3. Records

(A) The County Counsel shall have charge and custody of the Office of County Counsel and of all legal papers pertaining thereto and shall keep in the Office a complete docket and set of pleadings of all suits, actions or proceedings in which the County or any official, employee or department is a party. If the proceedings are being conducted by outside counsel the County Counsel shall keep such pleadings and records as are deemed necessary;

(B) The County Counsel shall keep and record all significant written opinions furnished by the Office of County Counsel and shall compile and keep an index thereof.

### Section 4. Chief Assistant County Counsel

The County Counsel may designate a Chief Assistant who shall act as the County Counsel in his or her absence.

### Section 5. Repeal

MCC 2.30.450(H) is repealed.

### Section 6. Adoption.

This Ordinance, being necessary for the health, safety, and general welfare of the people of Multnomah County, shall take effect on the thirtieth (30th) day after its adoption, pursuant to Section 5.50 of the Charter of Multnomah County.

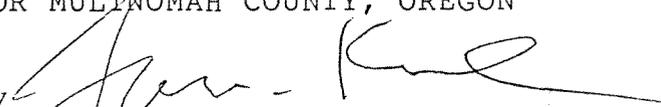
ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 1989, being the date of its \_\_\_\_\_ reading before the Board of County Commissioners of Multnomah County.

BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY, OREGON

By \_\_\_\_\_  
Gladys McCoy  
Multnomah County Chair

APPROVED AS TO FORM:

LAURENCE KRESSEL, COUNTY COUNSEL  
FOR MULTNOMAH COUNTY, OREGON

By   
\_\_\_\_\_  
Laurence Kressel  
County Counsel

2817R/dp  
010589:1

*Juvenile Justice*

Meeting Date Inf - follow  
Agenda No. 707

1/12/89

REQUEST FOR PLACEMENT ON THE AGENDA

Subject: Juvenile Justice Reform



Informal Only\* January 12, 1989 (To be held after 1/12 BCC Formal) Formal Only \_\_\_\_\_ (Date)

DEPARTMENT Human Services DIVISION Juvenile Justice

CONTACT Hal Ogburn TELEPHONE 248-3470

\*NAME(S) OF PERSON MAKING PRESENTATION TO BOARD Duane Zussy, Hal Ogburn

**BRIEF SUMMARY** Should include other alternatives explored, if applicable, and clear statement of rationale for the action requested. This Informal Briefing concerns Juvenile Justice Reform issues at the National level and recent developments at the State level related to MacLaren downsizing. The State has proposed that Multnomah County develop Community-based programs for "gang-related youth" as an alternative to adding 70 new beds to MacLaren. The State would also expect Multnomah County to reconsider managing the "downsize" plan for MacLaren as part of this agreement. The BCC will be asked to provide direction regarding their interest in contacting the State to request further particulars of this proposal.

(IF ADDITIONAL SPACE IS NEEDED, PLEASE USE REVERSE SIDE)

ACTION REQUESTED:

INFORMATION ONLY     PRELIMINARY APPROVAL     POLICY DIRECTION     APPROVAL

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA 30 Minutes

IMPACT:

PERSONNEL

FISCAL/BUDGETARY

General Fund

Other \_\_\_\_\_

BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY  
OREGON  
1989 JAN - 4 AM 10:59

SIGNATURES:

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: Duane Zussy (pd)

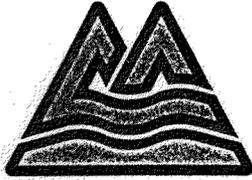
BUDGET / PERSONNEL \_\_\_\_\_

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) \_\_\_\_\_

OTHER \_\_\_\_\_  
(Purchasing, Facilities Management, etc.)

NOTE: If requesting unanimous consent, state situation requiring emergency action on back.

*file*



# MULTNOMAH COUNTY OREGON

*3 copies*

- ① copy to S/H
- ② Open New Document File DHS
- ③ copy to Chris

DEPARTMENT OF HUMAN SERVICES  
 7th FLOOR J. K. GILL BUILDING  
 426 S.W. STARK STREET  
 PORTLAND, OREGON 97204  
 (503) 248-3782

BOARD OF COUNTY COMMISSIONERS  
 GLADYS McCOY • CHAIR OF THE BOARD  
 PAULINE ANDERSON • DISTRICT 1 COMMISSIONER  
 GRETCHEN KAFOURY • DISTRICT 2 COMMISSIONER  
 CAROLINE MILLER • DISTRICT 3 COMMISSIONER  
 POLLY CASTERLINE • DISTRICT 4 COMMISSIONER

MEMORANDUM

TO: County Chair Gladys McCoy

VIA: Duane Zussy, Director *Duane Zussy*  
 Department of Human Services

FROM: Harold Ogburn, Director *Hal Ogburn*  
 Juvenile Justice Division

DATE: January 11, 1989

SUBJECT: Juvenile Justice Reform

*N.B. Munsey thinks  
 whatever is developed  
 should come through  
 D's.ing Comm before  
 it goes to BCC*

**Recommendation:** The Department of Human Services recommends that the County Chair with the support of the Board of County Commissioners send a letter to Governor Goldschmidt formally requesting clarification on a number of questions related to the state's proposal that Multnomah County develop community-based programs for "gang-related youth" as an alternative to adding seventy beds to the state training schools.

**Analysis:** The governor's proposed budget for the Children's Services Division contains the addition of approximately seventy new beds at MacLaren identified for "gang-related youth." The governor, through Leonard Munks of CSD, has indicated that he is willing to consider utilizing the funding for the proposed hard bed spaces to enhance or develop community-based resources with the hope of treating youth in the community, rather than committing them to the state training schools. The governor's primary focus appears to be "gang" youth. There is approximately \$800,000 per year that may be available if approved by the legislature for the additional bed spaces and/or the alternative use to develop community-based programs. The bottom line in accepting the state funds is for Multnomah County to reconsider managing the "downsize" plan. In order for this to work, we would need a three to four year phase in.

Before we can make any recommendations to the Board of County Commissioners as to the advisability of pursuing this proposal with the state, we need to request and analyze further detailed fiscal and programmatic information from the state. As this proposal has major policy implications related to the "downsize" plan and community-based services, we are seeking the Board's support to explore this proposal via a request for information from the governor.

*ok*

Background: The state of Oregon, through the Governor's Agenda, appears to have taken a policy decision relative to prevention and young children (the focus on zero to six years of age) and at the same time has spent considerable efforts in defining the state's position relative to adult criminals and jail/prison issues. The issue of youth and needed services surrounding delinquent youth, both in the probation and parole system, has not been addressed by policy. Through default, we can observe that hard beds are gradually being added back, and the "juvenile justice reform" which was initiated a few years ago is losing momentum. [The governor's indication of interest in diverting funds designated for beds to community services may provide the Board of County Commissioners with an opportunity to revisit the policy concerning community-based services for delinquent youth, versus institutional care.]

The state's offer as presented by Leonard Munks, who is the administrator of the Corrections Section for CSD, would include redirecting the \$800,000 in the governor's budget designated for hard beds towards community services in addition to the \$641,628 budgeted by CSD for FY 89-90 to operate the downsize plan in Multnomah County.

The services and programs presently involved in the downsize plan in Multnomah County are the Assessment and Observation Center (AOC) and the Albina Youth Opportunity School/Genesis School (previously known as Frontier One School). If Multnomah County accepted responsibility for the downsize plan, we would also accept responsibility to manage the "cap" of eighty-two youth in the state institutional system.

A related issue is the discussion surrounding a case management model that would envision local responsibility for a delinquent youth from first contact with the juvenile justice system through probation and parole. The state would continue to operate institutions. The catalyst for this discussion and the case management concept is the Juvenile Justice Coalition through its subcommittee on case management which is chaired by Don Welch, the director of the Clackamas County Juvenile Department. In short, this would envision that state parole functions, along with Children's Services Division resources currently provided to delinquent youth (such as foster care and group homes, as well as casework services), would be transferred to the county. This presumably would occur over the next several legislative sessions.

In conclusion, there are many issues presently under discussion in the area of juvenile justice reform. The state's interest in diverting hard-bed dollars to community services may provide a catalyst to focus energy on improvements to the juvenile justice system in this county and statewide.

Questions to pose to the state regarding this proposal:

1. What is the current cost of the downsize plan for Multnomah County?
  - cost of Assessment and Observation Center (AOC)
  - cost of Albina Youth Opportunity School (AYOS)
2. How much revenue for lease agreements from other counties is received by the state?
3. How much does CSD provide via "loaned services"?
4. What conditions would be attached to the \$800,000 provided as an alternative to hard beds in the state training schools?

*is this what  
the state  
will look  
like?*

*Historical  
Background*

Multnomah County Training School Downsizing  
Task Force

Summary of Deliberations  
and  
Recommendations to the Board of County Commissioners

At the end of the 1985 session the state legislature passed HB2045, mandating a one third reduction in the size of the state's daily training school population. The bill created a Juvenile Corrections Council to advise Children's Services Division on the implementation of this reduction and the allocation of \$2,786,868 appropriated by the legislature to fund community services to replace the use of closed custody (the training schools and associated camps) in the state.

Children's Services Division has since accepted Juvenile Corrections Council recommendations that closed custody "slots" remaining after the reduction is completed and the \$2.8 million funding for community services be distributed to counties on a per-capita basis. [Counties accepting funding will be required to provide adequate evaluation of youth committed to the training schools, detention backup for parole violators and youth placed in community programs, and a system of community services for youth formerly committed to the training schools. Children's Services Division will assume responsibility for these requirements for counties choosing not to accept funding and will develop a service plan for youth in non-participating counties. Under the CSD plan, all counties will be subject to their assigned per-capita cap (limit) on the use of closed custody whether or not they accept funding and responsibility for providing required services.

Children's Services Division has issued an "RFP" to counties in an effort to determine which counties are interested in participating in this plan. Since the "RFP" was distributed it has been pointed out that under this plan several counties current closed custody usage is below their ultimate assigned cap. Specifically, 17 counties with no required reduction in commitments will receive 35.1% of the total allocation of funds. Further, three counties, Multnomah, Marion, and Coos, are responsible for 71% of the total statewide reduction while receiving only 29% of the funding. Realizing the problems inherent in the formula, the Juvenile Corrections Council has recommended to CSD that counties with current usages below their ultimate cap receive a cap equal to their current usage, and that all counties accepting funding from the state for the downsizing plan be required to set a target for further reductions in their use of closed custody.

In response to the state's effort to reduce the size of the training schools, Multnomah County established a task force to examine the impact of downsizing on the county and make recommendations to the presiding Juvenile Court Judge and Board of County Commissioners regarding the county's participation in the state's plan. This task force was drawn from a wide range of organizations and individuals concerned with services to youth in Multnomah County. A membership list is attached to this report.

The task force met 10 times between September, 1985 and March, 1986 to discuss downsizing's impact on the county and develop a county downsizing plan. Various subcommittees met between full task force meetings to gather and analyze data, and draft the specifics of different service delivery models.

Data collected by the task force shows that the average youth committed to the training schools from Multnomah County is 15.4 years old, has been referred to the juvenile court 15 times (5 of those times for status offenses), and is more likely to be male (76.4%). Once committed youth remain in closed custody an average of almost 8 months. Minority youth are committed in disproportionate numbers (37.9%) and most minority youth committed are black (86.9%). The most serious offense committed by youth placed in closed custody was most likely to be a property offense (46%), most likely a burglary. Three out of five youth had been placed in out-of-home care by Children's Services Division prior to commitment. Physical or sexual abuse was reported in 23% of the cases, alcohol and drug abuse in 49.7% of the cases, and 85.2% had documented special education needs or serious school problems. And finally, 93.2% had a history of physical or sexual abuse and/or problems with drugs or alcohol and/or problems in school and/or been placed out-of-home.

A community service delivery model was developed by the task force that focused on the need for alcohol and drug treatment, close daily supervision and intensive multi-services day treatment for previously committed youth who would in the future remain in the community. The day treatment program included mental health treatment, education, out-patient drug and alcohol abuse treatment, recreation, employment, and case management components. The task force completed its work with an analysis of the fiscal and programmatic impact of the model on the county.

The total cost for the model developed by the task force is \$1,721,600 annually. The model is designed to serve the (60) previously committed youth the task force estimated would now be served in the community each year. Under the cost analysis used by the task force, \$1,073,750 of the total cost would come from the county's statewide downsizing fund allocation and CSD out-of-home care resources. The remaining \$710,850 would be provided by various local funding and reprioritized resources.

The model and task force discussions also recognize that Multnomah County has already achieved dramatic results in reducing commitments to the training schools through the cooperative efforts of the juvenile court, Juvenile Services Commission, and private providers. In FY84-85, the Juvenile Services Commission targeted all of its state entitlement for the funding of community programs that serve youth in lieu of commitment. Currently those programs serve approximately (240) youth annually who might otherwise be sent to the state training schools. These programs have contributed significantly to the reduction and stabilization of the number of commitments from Multnomah County.

Ultimately, the task force reached the unanimous conclusion that Multnomah County should not participate in the proposed CSD downsizing plan. The task force cited four major reasons for this recommendation:

1. The distribution formula for both the closed custody slots and the funding for community services does not reflect the county's recent success at reducing its use of closed custody (the county has reduced the number of new commits to the training school from 186 in FY 1981-82 to 127 in FY 1984-85), nor does the formula take into account the serverity of the problems presented by youth committed from Multnomah County.
2. The fiscal and programmatic impact of participation on Multnomah County is too great. To meet the requirements in the CSD "RFP", a commitment of almost three-quarters of a million dollars in reprioritized local services or funding will be required. The task force did not believe that an already fragile and underfunded youth service system should be subjected to this pressure.
3. Multnomah County's share of the statewide allocation for community alternatives to training school placement is not sufficient by itself to improve the quality of care afforded the county's committed youth and simutaneously assure that public safety is not adversely affected.
4. The task force believed that Children's Services Division was in a better position than the county to advocate with the legislature for changes that could make downsizing more feasible.

The task force recognizes that the county must reduce its use of closed custody even if it chooses not to participate in the CSD plan. Consequently, the task force stated its desire to continue meeting to assist Children's Services Division in developing a plan for downsizing in Multnomah County.

The following pages summarize the data analysis, planning and cost analysis of the task force.

A STUDY OF MULTNOMAH COUNTY YOUTH  
COMMITTED TO THE STATE TRAINING SCHOOLS

Study Period: January 1, 1984 through May 30, 1985

Total Population: 183 Multnomah County youth committed to the State training schools (139 males; 44 females)

Sample: 161 youth (123 males; 38 females), 88% of the total population

Data Sources: Multnomah County Juvenile Court  
Children's Services Division  
Portland Public Schools  
Multnomah County ESD  
Multnomah County Juvenile Services Commission

Data Analysis: Tri-county Youth Services Consortium

Results

Race: White - 100 (62.1%)      Minority - 61 (37.9%)

Black - 53  
N. Amer. - 3  
Hispanic - 3  
Asian - 1  
Other - 1

White Males - 74      Minority Males - 49  
White Females - 26      Minority Females - 12

Age: 12 years - 2      16 years - 44  
13 years - 12      17 years - 37  
14 years - 29      18 years - 1  
15 years - 36

Ages above are the age at the time of commitment.

The average age was 15.4 years; the average age for males was 15.5 years; the average age for females was 14.9 years; the average age for minority youth was 15.4 years.

Residence:

Area	White Youth	Minority Youth	All Youth
Northeast	17	37	54
Southeast	30	4	34
N. Port.	11	7	18
E. County	9	4	13
Southwest	4	1	5
Northwest	1	0	1
Unknown	28	8	36

Number of Prior Court Referrals:

1 to 5 referrals	- 11
6 to 10 referrals	- 31
11 to 15 referrals	- 58
16 to 20 referrals	- 32
21 to 25 referrals	- 18
Over 25 referrals	- 11

Average number of court referrals:

	White Youth	Minority Youth	All Youth
Males	14	17	15
Females	14	14	14
All Youth	14	16	15

Most Serious Offenses:

Minor (Theft II, UUMV, Assault IV)	- 16
Prostitution	- 17
Property (Burglary I, Robbery II, Theft I)	- 74
Person (Robbery I, Assault I or II, Murder)	- 33
Sex Offenses (Rape, Sexual Abuse, Sodomy)	- 21

	All Males	All Females	Minority Youth	White Youth
Minor	9	7	5	11
Prostitution	0	17	6	11
Property	65	9	20	54
Person	29	4	20	13
Sex Offenses	20	1	10	11

Prior Status Offenses:

0 offenses	- 24	5 offenses	- 18	10 to 15	
1 offense	- 13	6 offenses	- 14	offenses	- 16
2 offenses	- 11	7 offenses	- 13	Over 15	
3 offenses	- 18	8 offenses	- 7	offenses	- 6
4 offenses	- 14	9 offenses	- 10		

Average number of status offenses: for all males - 5; for all females - 7; for all minority youth - 6; for all white youth - 5; for all youth - 5

Parental  
Substance Abuse: noted in 20 cases (12.4%)  
(other cases may have a history of parental  
substance abuse: only those cases where  
incidence could be confirmed were counted)

Physical or  
Sexual Abuse: noted in 37 cases (23%)  
(other cases may have a history of physical or  
sexual abuse: only those cases where incidence  
could be confirmed were counted)

Abuse history rates for females were double that  
for males.

Referral  
to CSD: 137 cases (85.1%) had been referred to CSD prior  
to commitment.

CSD Temporary  
Custody: 118 cases (73.2%) had been TC'd to CSD prior to  
commitment. Females were TC'd slightly more  
often than males (86.8% vs 73.3%).

Intensive  
Family Services: 32 cases (19.9%) had received Intensive Family  
Services from CSD prior to commitment.

Substitute Care: 97 cases (60.2%) had been placed in some type of  
out-of-home care prior to commitment. Many of  
these youth had been placed several different  
times.

	Foster Care	Residential Treatment	Multiple*
Males	12	33	26
Females	8	9	9
White Youth	9	31	21
Minority Youth	11	11	14
All Youth	20	42	35

\*at least two different types of placement:  
foster, group, or residential treatment

CSD Shelter Care: 95 youth used CSD shelter care prior to commitment

1 time - 29	6 times - 5
2 times - 21	7 times - 3
3 times - 17	8 times - 5
4 times - 8	9 times - 2
5 times - 5	

Average number of referrals to CSD shelter care was 3.

Special Education:

64 cases had been classified as needing special education services. These cases represented 52.5% of the cases on which school records could be located.

School Problems: 80 of the 122 cases (65.6%) for whom school records could be located had histories of school problems (poor attendance, drop-out, poor grades and/or basic skill deficiencies).

104 of 122 cases (85.2%) had special education needs and/or documented school problems.

JSC Program Involvement:

63 cases (39.1%) had been involved in a Juvenile Services Commission funded program prior to commitment. 37 of these cases were minority youth.

Drug and Alcohol Abuse:

80 cases (49.7%) had documented histories of drug and alcohol abuse. (other cases may have a history of drug and alcohol abuse: only those cases where incidence could be confirmed were counted)

The rate of documented drug and alcohol abuse among white males was significantly higher (66.2%) than that of black males (36.7%) or females (34.2%).

Only 20 of these 80 cases were placed in a specialized drug and alcohol program following their stay in training school reception.

Additional  
Analysis:

100 cases (62.1%) had a history of physical or sexual abuse and/or problems with drugs or alcohol.

129 cases (80.1%) had a history of physical or sexual abuse and/or problems with drugs or alcohol and/or problems in school.

150 cases (93.2%) had a history of physical or sexual abuse and/or problems with drugs or alcohol and/or problems in school and/or had been placed out-of-home.

ANALYSIS OF CLOSED CUSTODY PLACEMENT HISTORY DATA  
FOR MULTNOMAH COUNTY YOUTH COMMITTED TO THE TRAINING SCHOOLS

Introduction

The information for this study was derived from JCS Movement History data provided by Children's Services Division. The JCS Movement History printouts provided a detailed break down of various placement decisions for 160 Multnomah County youth newly committed to the training schools between January 1, 1984 and May 31, 1985. Available information included placement locations (MacLaren, Hillcrest, specific camps, foster care, home, etc.) as well as specific placements at each location (cottages, programs, detention, etc.). Length of stay data was computed from beginning and ending dates provided for each placement or location stay.

The study focused on developing a reliable annual estimate for the average closed custody daily population and average length of stay for two groups: new commits and youth whose parole had been revoked.

Assumptions and Methodology

- 1) Data was provided for 160 of the 183 youth (87%) committed to the training schools from Multnomah County between January 1, 1984 and May 31, 1985.
- 2) The analysis of average length of stay (ALOS) and average daily population (ADP) was conducted for the one year period June 1, 1984 through May 31, 1985. The actual number of new commits during this study period was 131. Closed custody movement history data was available for 120 of these youth (92%). It was assumed that throughout the study period the commitment rate from Multnomah County remained constant. This assumption seems valid as new commits from the county have remained reasonably stable over the last 3 years and the 131 new commits for the study period is within 2% of the previous 3 year average for new commits from the county. Assuming this, the average length of stay for the 120 youth who began their commitments during the study period (whether or not they completed their stay during the period) will closely approximate the average length of stay for new commits during the study period.
- 3) A small number of commits stay in closed custody for long periods of time. It was assumed that there were 4 of these "lifers" at the training schools from Multnomah County prior to January 1, 1984 and that they continued in to occupy those closed custody beds during the study period.
- 4) The total ADP for Multnomah County during the study period was assumed to be 124 - the same as that computed by CSD for FY 84-85 (from the Downsizing RFP).

- 5) The ALOS estimate for youth whose parole had been revoked was computed from those youth who had completed their second (and in a few cases, third) stay in closed custody and had been again been placed on parole or terminated. However, most of the 160 cases on which data was available were still open on February 20, 1986, the date through which information was provided. Hence, some youth could still have their parole revoked and thus alter the ALOS estimate.
- 6) The Initial Parole Placement information was computed from available data for all youth who had completed their first commitment to the training schools. Average length of stay data for males, females, white and minority youth were computed for youth who were committed between June 1, 1984 and May 31, 1985. All other data was computed from available data for all youth committed between January 1, 1984 and May 31, 1985.

### Results

#### Average Length of Stay and Average Daily Population:

	<u>ADP</u>	<u>ALOS</u>	<u>Number of Youth</u>
Lifers	4	12.00 mo.	4
New Commits	84	7.75 mo.	131
Parole Revocations	36	4.65 mo.	93

Initial Parole Placement:	Home	46%
	Group Care	37%
	Foster Care	10%
	Terminated	7%*

\*not placed on parole following release from closed custody

Average Length of Stay:	Males	8.11 months
	Females	6.40 months
	White Youth	8.00 months
	Minority Youth	7.32 months

Average Length of Stay:	Less than 1 month	13.1%
	2 months	1.9%
	3 months	2.5%
	4 to 6 months	29.4%
	7 to 9 months	28.8%
	10 to 12 months	13.1%
	Over 12 months	11.2%

## DEVELOPMENT OF A DOWNSIZING MODEL FOR MULTNOMAH COUNTY

### Assumptions, Notes and Comments

To develop a simulation of the effect of the final cap on Multnomah County's use of closed custody, two assumptions were made. First, the required reduction of 42 closed custody slots (124, 1984-85 ADP, minus 82, the ultimate cap) was divided proportionately between new commits and parole revocations based on past usage. Second, it was assumed that all youth who in the past had been held in closed custody three months or less (17.5% of new commits) would not be sent to the training schools and, further, that the remaining reduction in closed custody usage would come randomly from youth who in the past had been held in closed custody longer than 3 months. Essentially this second assumption means that the ALOS for all youth held longer than three months during the study period (9.34 months) will closely approximate the new length of stay for youth placed in closed custody following implementation of the cap. The parole revocation ALOS estimate for the simulation remained the same as the estimate for the study period.

Using these assumptions, a model was developed for Multnomah County that assumed a county cap of 82 closed custody slots and no change in the county's commitment eligible population (ie: the number of youth that would have been committed were there no cap is equal to 131, the number of youth committed during the June 1 to May 31 study period).

The following chart illustrates the effect of the final cap on Multnomah use of closed custody. Compare this chart with the previous chart summarizing current closed custody average length of stay (ALOS) and average daily population (ADP).

	<u>ADP</u>	<u>ALOS</u>	<u>Number of Youth</u>
Lifers	4	12.00 mo.	4
New Commits	56	9.34 mo.	71
Parole Revocations	23	4.65 mo.	59

A community service delivery model was developed by the task force that focused on the need for alcohol and drug treatment, close daily supervision and intensive multi-services day treatment for previously committed youth who would in the future remain in the community. Program and cost assumptions for the components of this service model are listed below. Most task force members preferred that the mental health treatment, education, out-patient drug and alcohol abuse treatment, recreation, employment, and case management components be housed at the same site.

- a) Assessment - Youth will stay in this component for 2 to 3 weeks. The program will run approximately 12 hours per day, 5 days per week. The purpose of this component is to accurately assess the youth's needs, and to provide intensive services designed to arrest undesirable behavior and ready the youth for subsequent services. The ADP will be between 2 and 3 youth. Costs are based on the following:

1 court case manager	\$40,000
1.5 program staff	32,000
professional evaluation	25,000
overhead and supplies	<u>18,000</u>
total	\$115,000

- b) In-patient Drug and Alcohol Treatment - Based on the percentage of the study population with identified drug and alcohol abuse problems (49.7%), it was assumed that one-quarter of the youth served in the community would need in-patient drug and alcohol treatment before other services were provided (ie: half of those with identified drug and alcohol problems would need in-patient treatment). Costs were based on an average 45 day stay in treatment and an annual cost per slot of \$30,000.
- c) Out-of-Home Placement - Almost 50% of the youth committed to the training schools were placed in out-of-home care when paroled from closed custody (in training school alternative programs, parole group homes, foster care, residential treatment, etc.). It was assumed that an equivalent number of placements in the Multnomah County area would be available for Multnomah County youth when the cap goes into effect. It was also assumed that Children's Services Division would continue to fund these placement options. Thus, 50% of the youth served in the community under the downsizing plan will have access to out-of-home placement paid for by CSD. The ALOS for these placements was assumed to be 9 months and an \$60/day average cost of care was used in computing the total cost of this component.
- d) Mental Health Treatment - The costs noted support 1.5 FTE professional counselors.
- e) Education - Costs are computed at \$6,000 per slot with 90% of the total annual service population in the education program at any one time.
- f) Out-patient Drug and Alcohol Treatment - Costs are computed at \$2,000 per slot for 60% of the total population having an average length of service of 8 months.
- g) Recreation - The costs noted support the following 1.5 FTE staffing plus funds for supplies and activities.

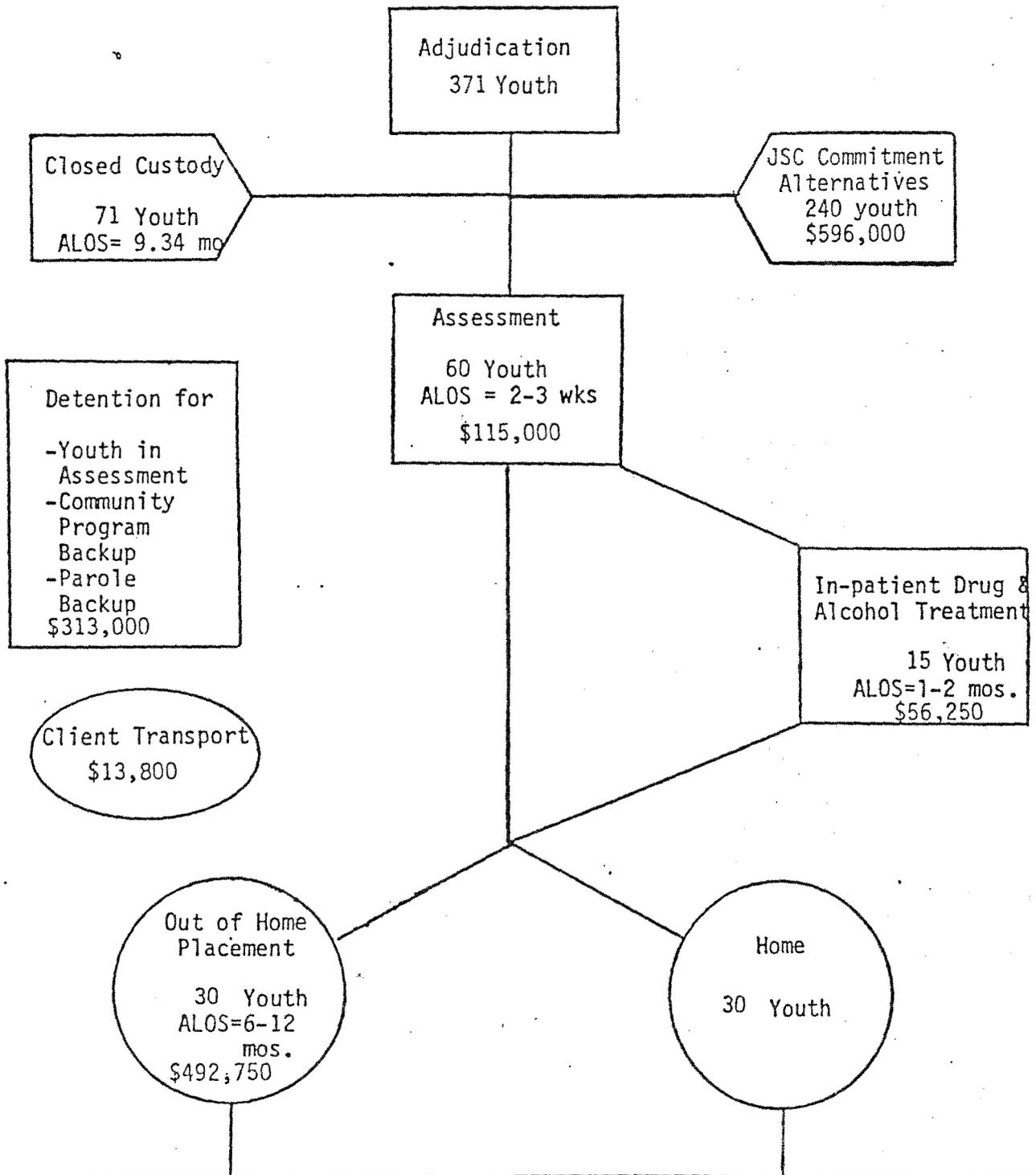
- h) Employment - This program consists of a living skills and job readiness component, work experience projects, and job placement assistance. The costs include 2 FTE staffing and client payroll expenses for the work experience projects.
- i) Case Management - It was assumed that the Multnomah County Juvenile Court would reorganize its staffing patterns to provide case management for youth receiving services under this plan. One of these case managers would be assigned to the assessment component. It was assumed that the remaining case managers would have caseloads of 15 youth and that the cost of each case manager would be \$40,000.
- j) Transportation - Transportation costs were computed at \$23 per month per youth for an average of 10 months/youth.
- k) Coordination and Administration - Because of the potentially large number of service providers and staff involved in the model and the multiplicity of client needs, the task force recognized the need to fund direct service coordination and close monitoring and evaluation of services. These costs were estimated at 10% of the downsizing fund.

## Multnomah County Downsizing Model

### Assumptions Summary

1. The commitment eligible population is 131 youth; the cap is 82 youth; 60 youth will be served in the community; 71 youth will be served in training schools/camps.
2. 30 of the 60 youth served in the community will be able to live at home.
3. Multnomah County has priority access to CSD funded out-of-home slots for 30 youth who cannot live at home.
4. The Juvenile Department reprioritizes \$200,000 of its current general fund budget to pay for a Probation Team. A portion of this amount (\$40,000) supports part of the assessment and treatment planning function. The balance of the Probation Team Costs (\$160,000) support case management.
5. The Downsizing fund will pay for program staff and overhead costs of the assessment program (\$50,000). Additional assessment and treatment planning costs (\$25,000) would come from reprioritized funds of assessment team participants.
6. The Juvenile Department receives \$313,000 of the Downsizing fund to open a detention unit to be used for backup.
7. \$56,250 of the Downsizing fund will be used to pay for in-patient alcohol/drug treatment (average 45 day stay).
8. County school districts provide \$324,000 for the educational component of a day treatment program for 54 youth.
9. The Juvenile Department Probation Team would be housed at the day treatment program and would provide case management, close supervision and treatment.
10. \$38,750 of the Downsizing fund plus in-kind donations of \$3,250 for supplies and activities would be used to provide the recreation component of the day treatment program.
11. \$60,000 of the Downsizing fund would be used to provide the employment services component of the day treatment program.
12. All additional day and weekend treatment services would come from reprioritized existing community resources. Most likely this would entail reprioritizing the target populations of existing county funded mental health and substance abuse treatment services.
13. Coordination of services and administration were estimated at 10% of the Downsizing Fund. Client transportation costs were estimated at \$13,800. It is likely that dollars from the County General Fund would have to be allocated to cover these items (total = \$65,600).

MULTNOMAH COUNTY TRAINING SCHOOL DOWNSIZING



Community Treatment & Services				
60 Youth ALOS = 9-12 mos.				
Mental Health Treatment	Education	A & D Out-patient Treatment	Recreation	Employment
\$45,000	\$324,000	\$48,000	\$42,000	\$60,000
Case Management \$160,000				

MULTNOMAH COUNTY TRAINING SCHOOL DOWNSIZING  
TASK FORCE

Judge Stephen Herrell  
Juvenile Court

Harold Ogburn  
Juvenile Court

Dwayne McNannay  
Juvenile Court

Kathleen Jones  
Juvenile Services Commission

Marge Kafoury  
Juvenile Services Commission

Glenn Hill  
Portland Public Schools

Ernie Hartzog  
Portland Public Schools

Frank MacNamara  
Portland Public Schools

Carolyn Sheldon  
Portland Public Schools

Duane Frazier  
Education Service District

Pauline Anderson  
Multnomah County Commissioner

Dennis Morrow  
Janis Youth Programs

Gary Smith  
Multnomah County Social Services Division

Ollie Smith  
Mayor Clark's Office

Linda Sunday  
Multnomah County CSD

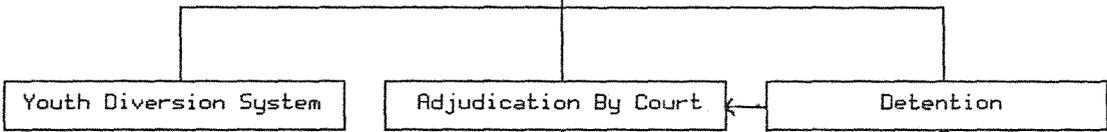
Bill Farver  
Commissioner Anderson's Office

Muriel Goldman  
Juvenile Corrections Council

Bill MacFarlane  
Education Service District

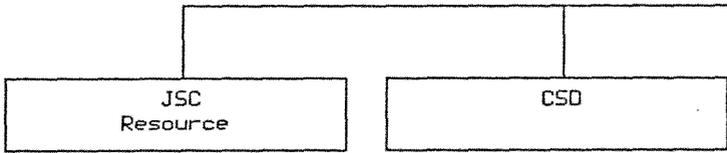
Bob Donough  
Tri-county Youth Services Consortium

JUVENILE JUSTICE DIVISION  
Delinquent Youth Only



Probation  
e.g., Restitution,  
Community Service,  
Offense Specific

8 days



AYOS - Genesis

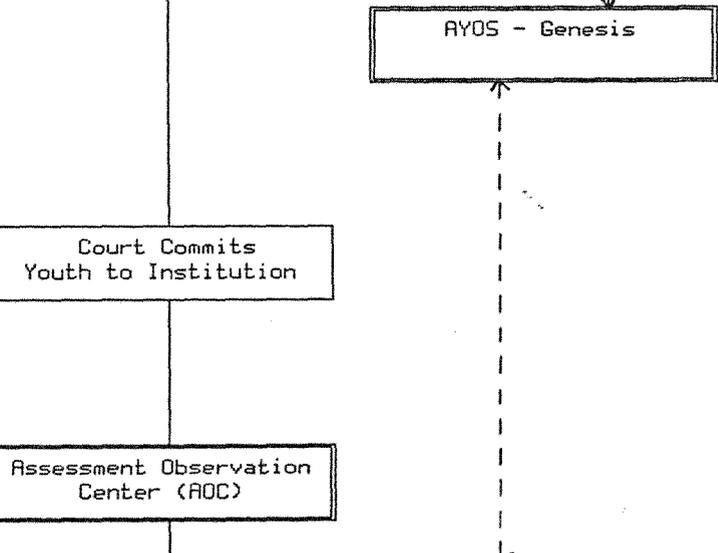
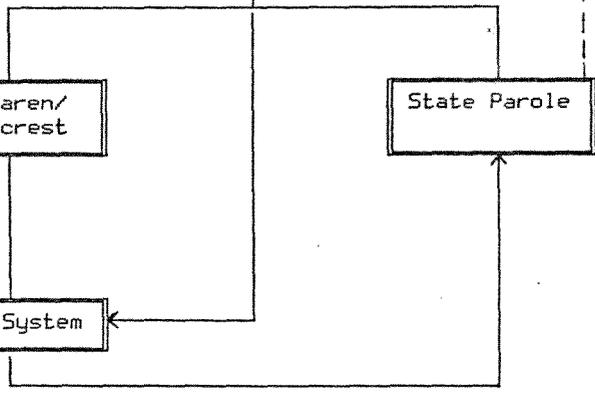
Court Commits  
Youth to Institution

Assessment Observation  
Center (AOC)

MacLaren/  
Hillcrest

State Parole

Camp System



*file*  
*Juvenile Detention*  
*conditions*

*2 copies*

*11 copy to S/H*  
*2) open Juv ct*  
*conditions file*

RECEIVED <sup>DHS</sup>  
JAN 9 1989

HUMAN SERVICES  
ADMINISTRATION  
MULTNOMAH COUNTY

January 4, 1989

The Honorable Linda Bergman  
Circuit Court Judge  
Multnomah County Courthouse  
1021 S.W. 4th, Rm. 322  
Portland, Oregon 97204

Gretchen Kafoury, Commissioner  
Board of County Commissioners  
1021 S.W. 4th  
Portland, Oregon 97204

Hal Ogburn  
Donald E. Long Home  
1401 N.E. 68th  
Portland, Oregon 97213

Jim Anderson  
Detention Supervisor  
Donald E. Long Home  
1401 N.E. 68th  
Portland, Oregon 97213

RECEIVED  
JAN 06 1989

COUNTY COUNSEL FOR  
MULTNOMAH COUNTY, ORE.

Enclosed please find a copy of a report outlining concerns about the conditions in the detention units of the Donald E. Long Home. This report was developed by attorneys from Juvenile Rights Project and the Metropolitan Public Defender, Inc. This information was gathered because of continual concerns and complaints from detained juveniles, parents, relatives, and other professionals involved in the juvenile system. Many of the complaints involve what we believe to be clear Constitutional violations.

We understand that you also have concerns about the facility, and the daily living conditions of detained juveniles. Our mutual goal is the best interest of the detained child. Detention under any circumstances is stressful. Often when a juvenile is detained it is the first time she/he has been away from home. General living conditions are likely to be very different from the environment from which a child comes: highly authoritarian and regimented, large group living, lack of privacy, no flexibility for personal tastes or needs. Sensitivity to the child's needs requires ongoing assessment of the facility's conditions and programs.

January 4, 1988  
Page Two

It is clear that the Donald E. Long Home Detention Facility falls below even the minimal standards set for incarcerated adults. For example, all adult individual cells have toilets and water. Ultimately major renovations to the physical plant will be needed to alleviate some conditions. We urge you to do what you can to obtain the necessary financial commitments for these renovations. However, many of the issues raised in the report could be addressed with minimal financial expenditure. Some would involve policy changes, and we would be willing to meet with other interested parties to discuss possible solutions and implementation of changes.

This is not a demand letter. We are requesting that you address these complaints in the spirit of mutual concern and cooperation. We would like to receive your response to this letter and report by February 1st.

Several of the signers did not participate in writing the report or letter but are aware of conditions in detention and support the need for change.

Sincerely,

METROPOLITAN PUBLIC  
DEFENDER, INC.

*Linda Hughes*

*Kristen Bay*

*Jim D. Hughes*

JUVENILE RIGHTS  
PROJECT, INC.

*Julie H. McFarlane*  
*Carolyn Gilmom-Gennard*  
*W. H. H. H.*  
*Cheryl A. Owsen*

OTHERS

*Gregg P. Sylvester*  
*Michael S. Kelly*  
*Nan Waller*

cc: Judge Herrell  
Judge Nachtigal  
Referee English  
Referee Loy  
County Counsel

Enclosure

cf "Report"  
- what is the lawyer  
document?

DETENTION CONDITIONS REPORT

The purpose of this section is to present the detention conditions which we believe need to be changed. To confirm the complaints we have received, we interviewed eleven children--- seven boys and four girls. The children ranged in age from 15 to 18 and were in detention for varying reasons. The one common denominator was that all of the children had been in detention for extended periods of time. We determined that there are five major areas of concern. Those areas of concern are set forth below, followed by explanations of the complaints we received, and the law governing juvenile detention facilities in regard to those concerns.

- how chosen  
over what  
period  
6 time  
- examples  
- lawyers

1. Conditions of Units and Supplies.

— observed as reported?

A. Safe and Sanitary Living Environment. The rooms and common areas are generally clean, although some children complained of being put into dirty rooms and made to clean them. All the rooms smell strongly of urine and, in some rooms, the windows and walls are coated with spit. Mice and bugs, including fleas, ants, and lice, are often present. The bathrooms are moldy and smell, especially when trash accumulates. Also, hot water for showers runs out on a regular basis.

The temperature of the units varies from one extreme to the other. In the summer, the units are sweltering and in the winter they can be freezing. There is no consistent regulation of the temperature.

The bedding is worn and in poor condition. Blankets are thin and short. If the temperatures are chilly, children often sleep in their jeans and sweatshirts to stay warm. The mattresses vary from thin to thick and from soft to hard.

Clothing is ill-fitting and in need of repair. Jeans often have broken zippers and holes in the crotches. T-shirts and sweat shirts come in limited sizes and are way too small for the larger children. One child was forced to wear adult prisoners' "MCDC" clothing. Shoes are also in short supply, and smell. Occasionally, there are not enough to go around. One related complaint is that when children ask for clean or extra clothes, bedding or towels, staff sometimes make them do pushups first before providing the requested item. Furthermore, children's personal clothing is stored upon admission without any cleaning, leading to unsanitary conditions and clothing that is not fit to wear upon the children's departure.

All of the girls complained that if they have their periods in detention, they are only given sanitary napkins, not tampons. They want to be able to make the choice. Furthermore, they are only allowed to shower at night, not in the morning. This practice, combined with the use of sanitary napkins, leaves the girls feeling unclean all day.

Confined juveniles are constitutionally entitled to safe and sanitary living conditions. Aherns v. Thomas, 434 F. Supp. 873, 893 (W.D. Mo. 1973); Martarella v. Kelley, 349 F. Supp. 575, 597

(S.D. N.Y. 1972). Courts have concluded, therefore, that the entire physical plant, particularly sleeping quarters, must be maintained in a safe and sanitary manner. Juvenile facilities are under a continuing obligation to comply with local and state health and safety regulations, and to provide and maintain adequate heating and ventilation systems, sufficient windows and artificial lighting, extermination services to remedy insect and rodent problems, and daily custodial care. Santiago v. City of Philadelphia, 435 F. Supp. 136, 158 (E.D. Pa. 1977); Inmates of John Connally Youth Center v. Dukakis, Mo. 75-1786-G (D. Mass., April 2, 1976); Manual of Standards for Juvenile Detention Facilities, American Corrections Assn., Rockville, M.D., 1979, Standard 7.6.

In addition to maintaining a safe physical environment, juvenile facilities must provide detainees with appropriate clothing, sanitary bedding, and necessary hygiene supplies. ORS 169.076(8); Inmates of Boys' Training School v. Affleck, 346 F. Supp. 1354, 1373 (D. R.I. 1972) (clothing must be sufficient to meet seasonal needs). The American Corrections Association has outlined extensive standards in regard to hygiene. Id. Manual of Standards, Standards 8208 to 8217. In addition to requiring clean bedding and clothing suitable to the temperature and items for personal hygiene and bathing and showering facilities, the standards provide for the thorough cleaning and disinfecting of juveniles' personal clothing prior to storage to "prevent odors

and vermin from accumulating..." Id., Manual of Standards, Standard 8217.

B. Diet. Food is of poor quality and there is never enough. Children reported seeing hair, bugs, and bone chips in the food. Almost every child we interviewed complained of constant hunger. All too often, there are no second helpings provided during meals. This is especially hard on smaller children, who frequently have their food stolen.

Confined juveniles are constitutionally entitled to an adequate and nutritious diet. D.B. v. Tewksbury, 545 F. Supp. 896, 905 (D. Or. 1982); ORS 169.076(7). Standard 8280 of the Manual of Standards for Juvenile Detention Facilities and Services of the American Correctional Association requires that a written policy be designed that ensures the special food needs of juveniles are met. Not only should the physical growth and developmental needs be taken into account, but "care should be exercised to ensure that all other factors related to food service such as age, sex, geographic and ethnic makeup of the population, space, variety, and suitable meal hours be considered...Provision of evening snacks for all residents and food for newly admitted youth should be part of the food program." Even more essential are the provisions set forth by the Oregon Legislature requiring that food be procured, stored, prepared and distributed in a sanitary fashion. ORS 169.076(7)(b).

Courts recognize that a nutritionally adequate diet is a

longstanding legal right of persons in confinement. In Morales v. Turman, 383 F. Supp. 53, 97 (E.D. Tex. 1974), the Court stated that a variety of nutritious foods, properly prepared and appealing, must be available, because adolescents are subject to spurts of rapid growth. Other courts have gone further in realizing the critical importance of a well-balanced diet to the physical and emotional well-being of adolescents. In Inmates of Boys' Training School v. Affleck, 346 F. Supp. 1354, 1370 (D. R.I. 1972), the Court ordered that, if the meal schedule insured hunger, the confined juveniles were entitled to regular access to canteen services and daily access to food brought in by parents and friends.

The Oregon Revised Statutes and the Manual of Standards for Juvenile Retention Facilities and Services of the American Correctional Association are clear. Taken together, these standards require, at a minimum, a written policy governing the planning of three equally nutritious meals per day. This plan is: 1) to require that each meal served meet or exceed the National Recommended Dietary Allowances established by the Food and Nutritional Board of the National Academy of Sciences National Research Council; 2) to be reviewed at least one week in advance by a registered dietician or by the Health Division; 3) to require that food be stored, prepared and served in a sanitary environment; 4) to have contingencies for special diets based on medical needs and to provide for the religious and ethnic varia-

tions of the population; 5) to require that there be a single menu for the staff and juveniles; and 6) to require that an accurate record of all meals served be maintained.

There should be three meals each day providing a variety of nutritious foods. These meals, in addition to at least one snack per day, must ensure a sufficient quantity of food for the number of juveniles detained so that no child complains of hunger. Second servings should be allowed if requested, and precautions must be taken to ensure that no child is deprived of food by other juveniles, and no child should be subjected to food below the minimal standards defined by the Health Division.

## 2. Rules and Punishments.

A. Due Process. A copy of the rules and regulations in detention is posted on the wall in each detention unit. Some children are asked to read the rules when they enter detention and others are not. Children are not given their own copy of the rules. Those children who are shown the rules are not asked if they understand them or if they have questions. No effort is made to ensure that the children can read or comprehend the rules. The rules are not translated for those children who do not speak English.

New rules are developed constantly without prior notice to the children. Rules regulating "gang type" activities or dress are the most common example of this. New rules are not put into writing and posted with the other rules. Enforcement of the rules

is inconsistent and punishment is arbitrary. Consequences for violating the rules are not posted, and children learn them only by watching and listening. Many rules, such as those regarding notification of family when children enter detention and those rules regarding visits and phone calls from family and friends, are not outlined for detainees at all.

Confined juveniles are entitled to be provided with a written copy of institutional rules, sanctions to be applied for violation of those rules, and an effective grievance procedure. D.B. v. Tewksbury, 545 F. Supp. 896, 905 (D. Or. 1982). Confined juveniles are further entitled to minimal due process protection and such protection requires notice of what behaviors will result in disciplinary sanctions. Harris v. Bell, 402 F. Supp. 469, 473 (D.C. Mo. 1972); Nelson v. Heyne, 355 F. Supp. 452, 457 (N.D. Ind. 1972). The American Corrections Association's Manual of Standards for Juvenile Detention Facilities and Services requires that a juvenile facility provide written rules of resident conduct that specify prohibited acts and the penalties that may be imposed. Standard 8328. Further, a copy of these written rules is to be given to each new detainee and posted conspicuously, and staff members must assist juveniles in understanding the rules. Id., Manual of Standards, Standard 8239. The rules must be available in languages spoken by significant numbers of juveniles. See ORS 169.076(1). All personnel who deal with detained juveniles in any way should receive continuous in-service train-

ing that ensures their understanding of the rules and sanctions available, in addition to the rationale for the rules. Id., Manual of Standards, Standard 8331. The clarity and specificity of the rules, in conjunction with this training, should preclude discrepancies in treatment among juveniles.

Confined juveniles similarly have a right to an effective grievance procedure. Santiago v. Philadelphia, 435 F. Supp. 136 (E.D. Pa. 1977); Aherns v. Thomas, 434 F. Supp. 873, 894 (W.D. Mo. 1977). The American Corrections Association standards require written guidelines for informally resolving minor misbehavior violations, such as smoking or continual refusal to obey instructions. Id., Manual of Standards, Standard 8332. Further, the Standards require that prior to punishment for any rule infraction, the juvenile must have the rationale for the restriction explained and that the juvenile should have an opportunity to explain the reason for the violation. Acceptable privilege suspensions include: no use of the television or radio; no visits from friends; and no recreation or special activity outside the facility. Unacceptable privilege suspensions are: the loss of regular meals, clothing, sleep, health care services, school, exercise, correspondence privileges, contact with parents, or legal assistance. Id., Manual of Standards, Standard 8333.

The lack of written rules and sanctions governing conduct, as well as the lack of notice of rules and sanctions, and the resulting arbitrary manner in which rules are enforced and

sanctions imposed, together with the lack of effective grievance procedure available to the children and the failure to inform the children of any grievance procedure, violates the due process rights of those detained at the Donald E. Long Home.

B. Room Lock and Isolation. Room lock is the most common form of punishment and typically lasts up to 24 hours, and for much longer periods for repeat offenders. This results in no school or recreation for extended lengths of time. Reasons for putting children in room lock vary, including being rude to staff and other children, not making a bed, having a "bad attitude," accidentally taking a pencil out of art class, and refusing to go to physical education. Children are routinely placed in room lock in excess of twelve hours without a due process hearing.

The most egregious uses of room lock we heard are presented below. One girl protested having a male doctor perform a pelvic exam, and he answered, "I don't see why, given the work you do." She was subsequently put into room lock for rudeness to the doctor. Another girl was ill and threw up in her room. She was given room lock and made to clean up the mess. A third girl was already on room lock and asked to use the bathroom but no staff responded. When she wet the floor, she was given additional time. Finally, a boy interrupted a staff member while he was watching a golf game and was given room lock.

Children are placed in isolation rooms without any notification to their attorney, parent or guardian. Written reports are

never sent to attorneys, parents or guardians. Children are placed in isolation rooms for set periods of time, usually in excess of six hours, instead of the length of time needed to get the child's behavior under control. Some children complained of having some or all of their clothing taken away. Isolation is used as punishment and not to prevent imminent danger of physical harm to self or others or to prevent escape.

ORS 169.740(J) requires that the attorney and the parent or guardian of the detained juvenile be notified of the use of isolation as soon as reasonable after the use thereof, and by mailing a copy of the written report concerning the isolation within 24 hours after the use of isolation. Further, ORS 169.750(2) permits the use of physical control or isolation upon a detained juvenile only when it is reasonably necessary and justified to prevent escape from the facility, physical injury to another person or destruction of property, or to protect a detained juvenile from physical self-injury. Such means of physical control or isolation may only be used for so long as it appears that such danger exists. ORS 169.750(2)(b) limits the use of isolation to a period not in excess of six hours.

ORS 169.750(3) limits the use of room lock except for the discipline and punishment of a detained juvenile for violation of a rule of conduct or behavior of the facility. The rule violated must be contained in the written rules for conduct and disciplinary procedures and each juvenile must have been provided

with a copy of the written rules and had the information concerning the rules conveyed to her or him orally if he or she cannot read or is unable to understand the written rules. (See ORS 169.076(12)).

ORS 169.750(7) limits disciplinary room lock to a period not in excess of twelve hours, except after the juvenile is advised in writing of the alleged offensive conduct or behavior and provided the opportunity to have a hearing before a staff member who is not a witness to the alleged offensive conduct or behavior. At the hearing, the child must be afforded the opportunity to produce witnesses and evidence, to cross-examine witnesses and to testify or not testify on his own behalf at his option. The staff member conducting the hearing must find that the alleged conduct or behavior was proven by a preponderance of the evidence, and that it violated a rule of conduct or behavior at the facility as provided for in ORS 169.076(12), or constituted a crime under the laws of the state.

In Gary H. v. Hegstrom, 831 F. 2d 1430, 1433 (D. Or. 1985), the Federal District Court also set down the purposes and restrictions on the use of isolation in juvenile correctional facilities in this jurisdiction. The purpose of isolation under the Gary H. decision is to place juveniles, who have engaged in conduct that creates an imminent danger of physical harm to themselves or others, in isolation only until the juvenile has reached the point where he can be returned to his program without

- is this only for  
one type of work?

posing an imminent danger of physical harm to himself or others. (Final Decree on Page 2) A juvenile confined in isolation must be visually inspected at least every fifteen minutes to determine if he or she is still out of control or in need of services or intervention; appropriate efforts by a qualified mental health professional must be made during the first 24 hours of such isolation. Id at 3. The Manual of Standards for Juvenile Detention Facilities and Services requires that "where a juvenile has committed a major rule violation requiring confinement for the safety of the juvenile or others or for the security of the facility, he or she is returned to the population as soon as possible..." (Essential). Id., Manual of Standards, Standard 8336. The discussion of Standard 8336 states: "Written policy and procedure should authorize the administrative removal of juveniles from a program to quell a disturbance, insure the safety of the residents, or to insure the security of the facility. The juvenile is returned to the program when the emergency ceases." Id.

Pushups are another form of punishment frequently used in the boys' unit. The number of pushups required can vary from 15 to 100. Pushups are commonly used as group punishment. For example, if someone talks in line while waiting to eat and a staff member is speaking, the entire line is forced to do pushups.

Forced exercise is an inappropriate disciplinary sanction for detained juveniles. The standards set forth by the American

Bar Association state that the following punishments are proscribed: corporal punishment, special clothing or insignia, restricted diet or sleep, being forced to do arduous labor, and maintaining silence "or any other punishment designed to cause contempt, ridicule, or physical pain." ABA Juvenile Justice Standards, § 8.7. The American Corrections Association Standard 8333 states that in no instance should a disciplinary sanction include exercise. Id., Manual of Standards, Standard 8333.

3. Recreational and Counseling Programs.

A. Recreation. Books, magazines and games are out of date and in poor condition. The variety is severely limited and what is available is not age appropriate.

No time is provided for organized programs outside of school, except for gym. Children spend too much time sitting and waiting in their rooms. What recreational activities there are, such as radio and television, are usually reserved for those children who have earned special privileges.

Gym, as mentioned above, is the only organized recreational program and is often perceived more as a punishment than a pleasure. The children go to gym immediately after dinner in the evenings and the emphasis is more on calisthenics than games. Children are regularly made to complete 50 laps, 25 pushups, 25 sit ups, and 25 leg lifts. If a child falls behind, s/he may be given more of any one exercise to perform. The children we interviewed reported that one child was pushed too hard in gym

and consequently started to cramp and then passed out.

All of the children complained of never going outside. Children who have been in detention for very long periods of time rarely get fresh air.

Confined juveniles are legally entitled to adequate exercise and recreation. D.B. v. Tewksbury, 545 F. Supp. 896, 905 (D. Or. 1982). Standard 8323 of the Manual of Standards for Juvenile Detention Facilities and Services of the American Correctional Association requires that "written policy and procedure grant juveniles access to recreational opportunities and equipment, including, when the climate permits, outdoor exercise." Id. The discussion to this essential rule states: "exercise and recreation are essential to good health. The facility should provide a diversified recreation program, including programs for those in room confinement or group confinement." The federal courts have consistently held that denial to juveniles of adequate opportunity for exercise and recreation, particularly exercise and recreation outdoors, constitutes cruel and unusual punishment. In Martarella v. Kelley, 349 F. Supp. 575, 590 (S.D. N.Y. 1972), the Court stated "life would be intolerably dreary, and the sheer residual detention would clearly constitute ... cruel and unusual punishment ...". The Martarella court ordered that detained juveniles were to be afforded no less than two hours a day on school days and three hours a day on non-school days of planned, structured recreational activities, and that all recreation work-

*Whisit here search  
who took a pencil  
from art class?*

ers were to have training in physical education. See also, Morgan v. Sproat, 432 F. Supp. 1130, 1154 (S.D. Miss. 1977)(must provide a physical education program to all students and a leisure time program offering students the opportunity to develop skills in arts, crafts, and music); Thomas v. Mears, 474 F. Supp. 908, 912 (E.P. Ark. 1979)(all children held in a detention center must engage in a recreation program consisting of at least two hours of daily outdoor recreation; additionally, residents confined to their rooms for disciplinary purposes are not to be denied daily recreation and exercise outside of their room); Inmates of Judge John Connally Youth Center v. Dukakis, Number 75-1786-G (D. Mass., April 2, 1976 Consent Decree)(minimum of two hour recreation period on school days and minimum of four hour period on non-school days, recreation equipment suitable for large muscle activity required).

Many cases seem to track the requirements of Standard 8358 of the Manual Standards for Juvenile Detention Facilities and Services of the American Correctional Association, which requires: "Written policy and procedure provide recreation schedules and a plan to ensure planned, constructive leisure time activities. (Essential)" The discussion for Standard 8358 indicates: "Large muscle development and opportunities for play and creative activity is essential for the growing child. There should be opportunities for exercise and constructive leisure time activity for at least two hours on school days and three

hours on non-school days, not including time spent watching television. Recreation should be organized and supervised by a staff member trained in physical education, and there should be one recreation worker for each fifteen juveniles during recreation periods."

B. Counseling. There are no counseling services offered to the children for common problems such as drug abuse and suicide. Whether or not a child's emotional needs are tended to depends on the staff present. A child in tears may either be ignored or consoled. All too often, that child is ridiculed. Many children suffer symptoms of withdrawal from drugs and/or alcohol when they first enter detention. They do not receive appropriate counseling and medical services for their withdrawal. See, infra, §4.

Incarcerated juveniles are also entitled to therapeutic programs of treatment adequate to meet their individual needs, including, inter alia, psychological and psychiatric services to deal with diagnosed individual problems, crisis counseling and ongoing counseling, and casework services. See, e.g., ORS 169.740(G), (J) and (L); D.B. v. Tewksbury, 545 F. Supp. 896, 905 (D. Or. 1982). The Manual of Standards for Juvenile Detention Facilities and Services of the American Correctional Association also provides standards related to programming and counseling for detained juveniles. Standard 8362 requires that there be a social services program that makes available a range of resources

to meet the needs of juveniles, including individual and family counseling and community services. The discussion of this essential standard states: "Social services can assist juveniles with family and personal problems through supportive guidance and professional assistance. Some of these services may be provided through contractual arrangements with community agencies." Further, standard 8363 requires that detained juveniles be afforded access to mental health counseling and crisis intervention services in accordance with their needs. The discussion of this essential standard states: "Some juveniles referred to detention facilities may be highly disturbed; therefore, it is imperative that mental health, psychiatric and crisis intervention services are available on an as-needed basis. Treatment services should include group therapy and individual counseling." Id.

#### 4. Medical Treatment.

Another area of serious concern to us was that of medical treatment. The system for obtaining medical attention and administering medicine is totally inadequate.

When children come into detention, they are screened by use of a check list. If they report an illness, they may or may not receive medical attention. The staff is frequently unreceptive to the children's complaints. For example, one girl in detention for over two weeks had a yeast infection and received no treatment. Another child with fingers that had been slammed in a car door and seriously injured had to ask three times to see a nurse

before getting help. A third child had an infected cut and staff ignored it because s/he was "getting out soon."

The only way to see the nurse is to sign up on a "sick list." The nurse comes in the afternoon only. If children are sick in the middle of the night, they must wait until the nurse arrives in the afternoon. If children get sick when the nurse is there, they cannot meet with the nurse because their name is not on the sick list.

Only the nurse can refer children to a doctor. Very ill children must wait and hope the nurse deems their problems serious enough. To add insult to injury, children stated that the nurse was often rude and insensitive to them.

There is no dental plan in place for children in detention. One child asked to see a dentist and was told no. Only a court order, issued ten days after the initial complaint, got the needed dental attention. Unfortunately, it was too late. Once s/he got to the dentist, the tooth had abscessed and had to be removed.

Another problem is that staff does not monitor the taking of medicine. It is up to the children to inform the staff of when it is time to take their medicine. Further, the staff does not always remain present to make sure the children have swallowed their medicine. This is potentially very dangerous in that children who are suicidal could save the medicine to take in an overdose.

Finally, children who are going through drug withdrawal receive no special treatment from the staff or the nurse. They are essentially ignored and all too often ridiculed.

Confined juveniles are entitled to adequate medical care. D.B. v. Tewksbury, 545 F. Supp. 896, 905 (D. Or. 1982); Aherns v. Thomas, 434 F. Supp. 873, 892 (W.D. Mo. 1977). The Manual of Standards for Juvenile Detention Facilities and Services of the American Corrections Association sets out extensive, minimum guidelines for the medical care of juveniles in custody: these standards, as well as Oregon law, require comprehensive written policies detailing access to medical and dental treatment. See, e.g., Standards 8218 et. al. and ORS 169.076(c) and 169.760(3). The Standards for Juvenile Detention not only outline the comprehensive medical and dental screening that should occur at the time of admission (Standards 8230 and 8241), but additionally require that juveniles, at the time of admission, be informed in writing of the procedures to gain access to medical and dental services. Illiterate children should be provided this information orally, and non-English speaking children in their native language.

Confined juveniles suffering from detoxification are entitled to supervision and medical attention. D.B. v. Tewksbury, 545 F. Supp. 896, 509 (D. Or. 1982). Standard 8245 outlines policy of detoxification of detained juveniles, commenting that: "Detoxification is a medically supervised procedure ...

a community health facility should perform this function prior to admission to the detention facility. When done in the facility, it should be done under close supervision of medical personnel and trained facility staff." Likewise, the administration of medication should be performed under medical supervision. ORS 169.750(b), which pertains to juvenile detention facility, states:

(b) Nonmedical personnel shall receive training for administering medications, including recognition of and response to drug reactions and unanticipated side effects, from the responsible physician or nurse and the official responsible for the facility. All personnel shall be responsible for administering the dosage medications according to orders and for recording the administrations of the dosage in a manner and on a form approved by the responsible physician.

Courts have held that grossly inadequate health care is violative of a juvenile's rights under the Eighth and Fourteenth Amendments of the Constitution. The Courts, the Constitution, and Juvenile Institutional Reform, 52 B.U.L. Rev. 33(1972). In Inmates of Boys' Training School v. Affleck, 346 F. Supp. 1354, 1373 (D. R.I. 1972), the Court ordered that detainees be provided a comprehensive system of medical, psychiatric and dental screening and treatment where required. The American Correction Association standards further require that the "control of access to medical care should never be within the decision making authority of youth care or administrative staff" but to qualified medical personnel. Id., Standard 8233.

Daily monitoring and response to detained juveniles' medical needs must occur. It must be performed by medically-trained

personnel. The written policy must outline the minimum standards required by law for screening, follow-up treatment and daily monitoring and response for routine and emergency medical or dental conditions. Detained juveniles must be informed in regard to accessing medical, psychiatric and dental treatment, and staff response must be prompt. This does not mean, however, that juveniles are responsible for recognizing their medical needs. Trained staff are responsible for monitoring the detainees and administering medication in accordance with medical orders. A physician should create a viable and effective policy for screening, monitoring, responding to, and treating all medical complaints.

5. Phone Use and Visitation.

The policies governing phone use and visitation are inconsistent. Children are allowed to call their families only if they have their counselor's permission. The definition of "families" usually includes parents, not siblings or other relatives who may play significant roles in the children's lives. Often children have to wait two or more days to make their first call because they cannot get in touch with their counselors. This can be devastating to children who are frightened and need reassurance and comfort from their families. One child complained that her counselor made her write a letter as to why she needed to call a family member before granting permission.

Visits are also confined to parents only. Other relatives

and friends are rarely given permission to visit, even though they may be important figures to the children. Visits are confined to three days only and to limited hours, Wednesdays from 6:30 to 8:30 p.m. and Saturdays and Sundays from 4:30 to 6:30 p.m. This schedule is inflexible and does not accommodate parents who have conflicting work schedules. Finally, the visiting area is too small, especially if several children are receiving visitors at the same time.

Case law supports our request that more visitation should be provided for detained juveniles and their families, as well as friends. In Gary H. v. Hegstrom, 831 F. 2d 1430 (9th Cir. 1985), the District Court found that restrictive visitation "ultimately worked to discourage family involvement in a child's rehabilitative program..." and that parental visitation is an "integral part of a child's right to treatment." Opinion at 33. Similarly, in D.B. v. Tewksbury, 545 F. Supp. 896 (D. Or. 1982), the District Court found that Columbia County's overly restrictive visitation policy, which did not allow children to have visitation with friends, as well as families, and which did not have regularly scheduled visitation, was unconstitutional. Many courts addressing this issue have ordered much more liberal visitation than that which is provided at the Donald E. Long Home. For example, in Morales v. Turman, 364 F. Supp. 166, 180 (E.D. Tex. 1973), the Court ordered visiting hours for at least two hours a day on at least two separate days between Monday and

Friday, and from 9:00 a.m. to 5:00 p.m. on weekends and holidays.

Telephone calls can be a vital link between a juvenile and family or friends who are far away or unable to come to the facility. Juveniles should be provided free access to telephones as part of a constitutionally adequate treatment plan. See Eg. Morales v. Turman, supra, 383 F. Supp. at 100 and Santiago v. City of Philadelphia, 435 F. Supp. 136 (E.D. Pa. 1977) (Stipulation and Partial Settlement). In Santiago, the Court required that calls to parents, relatives, and attorneys would be available to juveniles at any time on request, and that calls to others could be arranged, but limited to one a day.

Similarly, recognized standards in the area of juvenile pretrial detention require much more liberal visitation and phone access policies than that which is available at the Donald E. Long Home. The Institute of Judicial Administration, American Bar Association, Juvenile Justice Standards Relating to Interim Status: The Release, Control, and Detention of Accused Juvenile Offenders Between Arrest and Disposition, Standard 10.7(C), provides: "The period for visiting, although subject to reasonable regulation by the facility staff, should cover at least eight hours every day of the week ...". Standard 10.7(D) provides that each juvenile in detention should have ready access to a telephone between 9:00 a.m. and 9:00 p.m. daily. Calls may be limited in duration, but not in content nor as to parties who may be contacted, except as otherwise specifically directed by the

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Court. Local calls should be permitted at the expense of the institution, but should, under no circumstances, be monitored. Long distance calls of a reasonable number may be made to a parent or attorney at the expense of the institution and to others collect. Similarly, the Manual of Standards for Juvenile Detention Facilities and Services of the American Correctional Association, Standard 8382 (Essential) states that written policy and procedure provide for resident access to the telephone. The discussion of that rule states: "Sufficient telephone facilities should be provided to permit reasonable and equitable access to all detained juveniles." Written procedure should outline the hours of telephone availability and any rules pertaining to telephone calls such as time limits. Telephone facilities may include pay phones as well as house phones to accommodate those who may wish to make calls at their own expense.