

ANNOTATED MINUTES

Thursday, January 7, 1999 - 9:30 AM
Multnomah County Courthouse, Boardroom 602
1021 SW Fourth Avenue, Portland

SWEARING IN CEREMONY

Chair Beverly Stein convened the meeting at 9:30 a.m., with, Commissioners Sharron Kelley, Diane Linn, Lisa Naito and Serena Cruz present.

The Honorable Multnomah County Circuit Court Judge Jim Ellis Will Administer the Oath of Office to Auditor Suzanne Flynn and Chair Beverly Stein Prior to the Multnomah County Board Meeting.

JUDGE ELLIS ADMINISTERED THE OATH OF OFFICE TO AUDITOR SUZANNE FLYNN AND CHAIR BEVERLY STEIN. MS. FLYNN AND CHAIR STEIN COMMENTS REGARDING GOALS, ACCOMPLISHMENTS, OPPORTUNITIES AND CHALLENGES.

The meeting recessed at 9:45 a.m.

Thursday, January 7, 1999 - 9:45 AM
Multnomah County Courthouse, Boardroom 602
1021 SW Fourth Avenue, Portland

REGULAR MEETING

Chair Beverly Stein convened the regular meeting at 9:50 a.m., with Commissioners Sharron Kelley, Diane Linn, Lisa Naito and Serena Cruz present.

CHAIR STEIN WELCOMED COMMISSIONER SERENA CRUZ TO HER FIRST BOARD MEETING.

NON-DEPARTMENTAL

- R-1 Appointment of Commissioner Diane Linn as Vice-Chair for the 1999 Calendar Year Pursuant to Section 3.60 of the Home Rule Charter of Multnomah County

COMMISSIONER KELLEY MOVED AND COMMISSIONER NAITO SECONDED, APPOINTMENT OF COMMISSIONER DIANE LINN AS VICE-CHAIR FOR 1999. COMMISSIONER NAITO AND CHAIR STEIN COMMENTS IN SUPPORT. COMMISSIONER DIANE LINN UNANIMOUSLY APPOINTED VICE-CHAIR FOR 1999.

CONSENT CALENDAR

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER NAITO, THE CONSENT CALENDAR (ITEM C-1) WAS UNANIMOUSLY APPROVED. CHAIR STEIN ACKNOWLEDGED APPOINTEES AND THANKED THEM FOR SERVING.

NON-DEPARTMENTAL

- C-1 Appointment of Chad Kromm and Reappointment of Jean Carpenter, Judy Craine and Ruth Lindsay Jones to the FOOD SERVICE ADVISORY BOARD

REGULAR AGENDA

PUBLIC COMMENT

- R-2 Opportunity for Public Comment on Non-Agenda Matters. Testimony Limited to Three Minutes Per Person.

NO ONE WISHED TO COMMENT.

AGING AND DISABILITY SERVICES DEPARTMENT

- R-3 Results from RESULTS: Aging and Disability Services Nursing Facility Branch Process Improvement Team Prior Authorization Project. Presented by Kathy State, Carolyn McGrath and Julie Groth.

CAROLYN MCGRATH, KATHY STATE, JULIE GROTH AND APRIL LEWIS PRESENTATION ON TEAM DEVELOPMENT AND IMPLEMENTATION OF CONSISTENT, USER FRIENDLY, SIMPLIFIED PAYMENT AUTHORIZATION PROCESS, RESULTING IN BEST POSSIBLE NURSING FACILITY PLACEMENT FOR CLIENTS. BOARD COMMENTS IN SUPPORT.

DEPARTMENT OF HEALTH

- R-4 Budget Modification HD 7 Approving an Increase of \$138,991 and 2.41 FTE in the Planning and Development Budget Funded with Grant Dollars from the National Institute of Health's Alcohol Abuse and Alcoholism Bureau

COMMISSIONER KELLEY MOVED AND COMMISSIONER NAITO SECONDED, APPROVAL OF R-4. MIKE STARK EXPLANATION AND RESPONSE TO BOARD QUESTIONS REGARDING INTERVENTIONS TO DETER ALCOHOL ABUSE, PILOT PROJECTS, AND NEED TO COLLECT DATA ON TARGET YOUTH GROUPS UNDER AGE 18. STAFF TO PROVIDE COPY OF PROJECT DATA WHEN AVAILABLE; ASSURE PROJECT COORDINATION WITH OTHER COUNTY DEPARTMENTS AND LOOK INTO TARGETING HISPANIC YOUTH. BUDGET MODIFICATION UNANIMOUSLY APPROVED.

- R-5 Budget Modification HD 9 Approving an Increase of \$18,464 and .25 FTE in the Communicable Disease Budget for a Cost Analysis of the Tuberculin Skin Testing Program Funded with Grant Dollars Received from the Federal Center for Disease Control through the Oregon Health Division

COMMISSIONER KELLEY MOVED AND COMMISSIONER NAITO SECONDED, APPROVAL OF R-5. JAN POUJADE EXPLANATION OF BUDGET MODIFICATION AND RESPONSE TO QUESTION OF COMMISSIONER KELLEY, REGARDING THE NEED TO REPLACE .5 HEALTH INFORMATION SPECIALIST 2 WITH .5 PROGRAM DEVELOPMENT TECHNICIAN IN THE

**HEPATITIS PROGRAM STAFF. BUDGET
MODIFICATION UNANIMOUSLY APPROVED.**

- R-6 Budget Modification HD 10 Approving an Increase of 1.15 FTE and \$67,135 in the Disease Control and Prevention Budget Funded with Grant Dollars Received from the Federal Public Health Service for Enhancement of Local Public Health Department Participation in the Brownfields Decisions

**COMMISSIONER KELLEY MOVED AND
COMMISSIONER NAITO SECONDED, APPROVAL
OF R-6. CHRIS JOHNSON EXPLANATION AND
RESPONSE TO BOARD QUESTIONS REGARDING
NEIGHBORHOODS IDENTIFIED AS
BROWNFIELDS SITES. BOARD COMMENTS IN
SUPPORT. AT THE REQUEST OF BOARD, STAFF
TO PROVIDE INFORMATION REGARDING
CITIZEN PARTICIPATION ON FUTURE STAFF
REPORTS. BUDGET MODIFICATION
UNANIMOUSLY APPROVED.**

NON-DEPARTMENTAL

- R-7 Continued First Reading and Possible Adoption of an ORDINANCE Amending MCC 5.005 Prescribing Procedures for Designation of Interim Officers for Vacant Elective Offices and Declaring an Emergency AND Consideration of First Reading and Possible Adoption of a Substitute ORDINANCE Amending MCC 5.005 and MCC 5.006 Prescribing Procedures for Designation of Interim Officers and Appointment of Officers for Vacant Elective Offices, and Declaring an Emergency

**ORDINANCE READ BY TITLE ONLY. COPIES
AVAILABLE. FOLLOWING DISCUSSION WITH
COUNTY COUNSEL THOMAS SPONSLER,
COMMISSIONER KELLEY MOVED AND
COMMISSIONER NAITO SECONDED, APPROVAL
OF FIRST READING OF SUBSTITUTE
ORDINANCE C, "AN ORDINANCE AMENDING
MCC 5.005 AND MCC 5.006 PRESCRIBING
PROCEDURES FOR DESIGNATION OF INTERIM
OFFICERS AND APPOINTMENT OF OFFICERS
FOR VACANT ELECTIVE OFFICES". MR.
SPONSLER EXPLANATION AND RESPONSE TO**

**BOARD QUESTIONS REGARDING SIXTY DAY
CONFIRMATION AND CLARIFICATION BETWEEN
CHAIR, AUDITOR AND SHERIFF, AND THE
BOARD OF COMMISSIONERS. NO ONE WISHED
TO TESTIFY. COMMISSIONER KELLEY'S MOTION
TO AMEND SUBSTITUTE ORDINANCE BY
REQUIRING QUALIFICATIONS FOR INTERIM
AUDITOR FAILED FOR LACK OF A SECOND.
COMMISSIONERS LINN, NAITO AND CHAIR
COMMENTS IN SUPPORT. FIRST READING OF
SUBSTITUTE ORDINANCE UNANIMOUSLY
APPROVED. SECOND READING THURSDAY,
JANUARY 14 1999.**

COMMISSIONER COMMENT

R-8 Opportunity (as Time Allows) for Commissioners to Provide Informational Comments to Board and Public on Non-Agenda Items of Interest. Comments Limited to Three Minutes Per Person.

**COMMISSIONERS LINN, NAITO, STEIN, KELLEY
AND CRUZ COMMENTS ON TOPICS INCLUDING
PORTLAND PUBLIC SCHOOL AUDIT
COMMITTEE, REPORT FROM STATE
REGARDING INCREASE OF MENTALLY ILL
PEOPLE GOING TO PRISON, AND SCHOOL
FUNDING.**

There being no further business, the meeting was adjourned at 11:06 a.m.

BOARD CLERK FOR MULTNOMAH COUNTY, OREGON

Deborah L. Bogstad



MULTNOMAH COUNTY, OREGON

BOARD OF COMMISSIONERS

Beverly Stein, Chair

1120 SW Fifth Avenue, Suite 1515
Portland, Or 97204-1914
Phone: (503) 248-3308 FAX (503) 248-3093
Email: mult.chair@co.multnomah.or.us

Diane Linn, Commission Dist. 1

1120 SW Fifth Avenue, Suite 1500
Portland, Or 97204-1914
Phone: (503) 248-5220 FAX (503) 248-5440
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Lisa Naito, Commission Dist. 3

1120 SW Fifth Avenue, Suite 1500
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Sharron Kelley, Commission Dist. 4

1120 SW Fifth Avenue, Suite 1500
Portland, Or 97204-1914
Phone: (503) 248-5213 FAX (503) 248-5262
Email: sharron.e.kelley@co.multnomah.or.us

ANY QUESTIONS? CALL BOARD CLERK DEB BOGSTAD @ 248-3277

Email: deborah.l.bogstad@co.multnomah.or.us

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

JANUARY 7, 1999

BOARD MEETING

FASTLOOK AGENDA ITEMS OF INTEREST

Pg 2	9:30 am Oath of Office for Auditor Suzanne Flynn and Chair Beverly Stein
Pg 2	9:45 am Appointment of Commissioner Diane Linn as Vice- Chair for 1999
Pg 2	9:45 am Opportunity for Public Comment on Non-Agenda Matters
Pg 3	9:45 am Aging & Disability Services RESULTS Presentation
Pg 3	10:15 am Continued 1 st Reading Interim Commissioner Designation Ordinance
✳	Check the County Web Site: http://www.multnomah.lib.or.us

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

Thursday, 9:30 AM, (LIVE) Channel 30
Friday, 10:00 PM, Channel 30
Sunday, 1:00 PM, Channel 30

Produced through Multnomah Community
Television

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Multnomah County Courthouse, Boardroom 602
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CONSENT CALENDAR

NON-DEPARTMENTAL

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AGING AND DISABILITY SERVICES DEPARTMENT

- R-3 Results from RESULTS: Aging and Disability Services Nursing Facility Branch Process Improvement Team Prior Authorization Project. Presented by Kathy State, Carolyn McGrath and Julie Groth. 15 MINUTES REQUESTED.

DEPARTMENT OF HEALTH

- R-4 Budget Modification HD 7 Approving an Increase of \$138,991 and 2.41 FTE in the Planning and Development Budget Funded with Grant Dollars from the National Institute of Health's Alcohol Abuse and Alcoholism Bureau
- R-5 Budget Modification HD 9 Approving an Increase of \$18,464 and .25 FTE in the Communicable Disease Budget for a Cost Analysis of the Tuberculin Skin Testing Program Funded with Grant Dollars Received from the Federal Center for Disease Control through the Oregon Health Division
- R-6 Budget Modification HD 10 Approving an Increase of 1.15 FTE and \$67,135 in the Disease Control and Prevention Budget Funded with Grant Dollars Received from the Federal Public Health Service for Enhancement of Local Public Health Department Participation in the Brownfields Decisions

NON-DEPARTMENTAL

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COMMISSIONER COMMENT

- R-8 Opportunity (as Time Allows) for Commissioners to Provide Informational Comments to Board and Public on Non-Agenda Items of Interest. Comments Limited to Three Minutes Per Person.

MEETING DATE: JAN 07 1999
AGENDA NO: C-1
ESTIMATED START TIME: 9:45

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Appointments & Reappointments to Food Service Advisory Committee

BOARD BRIEFING:

DATE REQUESTED: _____
REQUESTED BY: _____
AMOUNT OF TIME NEEDED: _____

REGULAR MEETING:

DATE REQUESTED: January 7, 1999
AMOUNT OF TIME NEEDED: Consent

DEPARTMENT: Nondepartmental

DIVISION: Chair's Office

CONTACT: Delma Farrell

TELEPHONE #: 248-3953
BLDG/ROOM #: 106/1515

PERSON(S) MAKING PRESENTATION: _____

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

SUGGESTED AGENDA TITLE:

Appointment of Chad L. Kromm and reappointment of Jean Carpenter, Judy Craine and Ruth Lindsay Jones to the Food Service Advisory Board

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____
(OR)
DEPARTMENT
MANAGER: _____

Beverly Stead

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ 248-3277

98 DEC 30 PM 4:3
MULTI-NOMINAL COUNTY
OREGON
BOARD OF
COUNTY COMMISSIONERS

MEETING DATE: JAN 07 1999
AGENDA NO: R-3
ESTIMATED START TIME: 9:45

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Aging and Disability Services Results from RESULTS Presentation

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

REGULAR MEETING: DATE REQUESTED: January 7, 1999
AMOUNT OF TIME NEEDED: 15 Minutes

DEPARTMENT: Aging and Disability Services **DIVISION:** Planning & Special Projects

CONTACT: Daphne Teals **TELEPHONE #:** 248-3620, ext 28655
BLDG/ROOM #: 161/3rd

PERSON(S) MAKING PRESENTATION: Kathy State, Carolyn Mcgrath, Julie Groth -Nursing Facility Branch

ACTION REQUESTED:

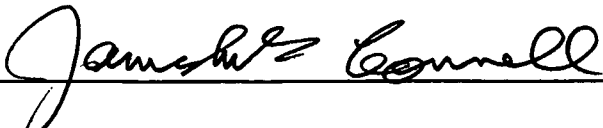
☒ **INFORMATIONAL ONLY** ☐ **POLICY DIRECTION** ☐ **APPROVAL** ☐ **OTHER**

SUGGESTED AGENDA TITLE:

Aging and Disability Services "Results from RESULTS"
Nursing Facility Branch Process Improvement Team
Prior Authorization Project

CLERK OF
COUNTY COMMISSIONERS
99 JAN - 5 AM 8:14
MULTNOMAH COUNTY
OREGON

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____
(OR)
DEPARTMENT
MANAGER: 

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ 248-3277

***Helping you through
the Nursing Home
Experience...***



Nursing Facility Branch



**Multnomah County
Aging Services Department**

Intake Services

Intake workers assist you through the application process by assessing individual income, resources and care needs to determine Medicaid eligibility. Other services include level of care assessment, information and referral, as well as policy interpretation.

Case Management

Case managers build cooperative relationships with nursing home residents and staff to assure client needs are met. We accomplish this by participating in care planning through regular visits to the nursing home and attendance at care conferences. We assist with interpretation of coverage under various insurance plans and we advocate for special medical needs. Additionally, we coordinate services provided by other agencies and oversee resident rights. We also conduct yearly recertification for Medicaid eligibility.

The Nursing Facility Branch

The Nursing Facility Branch of Multnomah County Aging Services Department (ASD) provides specialized services to over 1400 of the most vulnerable elderly citizens living in 40 nursing homes in Multnomah County.

We are committed to ASD's goal of providing single-entry service. This means that we will answer all inquiries regarding nursing home placement, financial and medical eligibility and health insurance issues. A staff member is available to screen and refer your calls weekdays between 8:00 am - 5:00 pm. Our professional staff of 25, including intake workers, case managers assigned to specific nursing facilities, protective services staff and relocation specialists, is ready to guide you through the nursing home experience.

The goal of the Nursing Facility Branch is to establish positive relationships with clients and their families while respecting client choice and maximizing independence. We take great pride in responding to and advocating for our clients' needs.



Nursing Facility Branch
Located at 2900 SE 122nd
Telephone Number: 503 - 248-5480
FAX: 503 - 306-5554
TDD: 503 - 248-5436

Relocation Discharge Planning

Our staff will help you and your family evaluate and plan for a safe move from the nursing home. A variety of services such as meals, housekeeping and personal care can be made available in various settings. If 24-hour supervision is required, our specialized team of relocation case managers will do a thorough assessment and assist you in choosing a living situation with appropriate support. Our goal is to maximize independence.

Protective Services

Protective Services investigates concerns you have around abuse and neglect in nursing homes. Our goal is safe and quality care for nursing home residents within Multnomah County. We also provide training to nursing facilities on resident rights as well as abuse and neglect issues. We offer support and consultations to families and nursing home staff.

g Facility Branch: A Single En

**Good Customer Service
is our Goal**



For more information call: 248-5480



Nursing Facility Branch
PO Box 33166
Portland, Oregon 97292-0166



AGING AND DISABILITY SERVICES PRIOR AUTHORIZATION PROCESS IMPROVEMENT TEAM

"PROBLEM STATEMENT"

There is confusion and frustration around the prior authorization process.

"GOAL"

Our PIT will develop and implement a payment authorization process that is consistent, user friendly, simplified, and which results in the best possible nursing facility placement for each client.

"WHAT WE DID TO UNDERSTAND THE PROBLEM"

1. Flow Chart
2. Fish Bone Diagram
3. Interviews With Experts
4. Survey Co-workers
5. Define Terms

"BENEFITS"

- New procedure developed
- Better meet client needs
- Improved relations with nursing facilities and caseworkers
- Utilize technology
- Document process
- Establish uniformity throughout ADS
- Reduce phone calls
- Decrease frustration
- Increase efficiency
- Improve morale

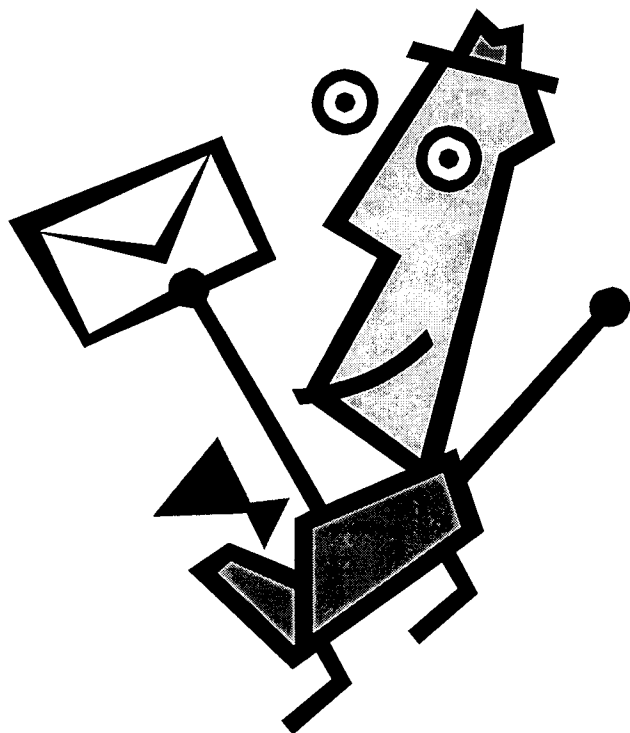
"ACTION PLAN"

- October: training for
- Pilot project
- November-January: Pilot project in place
- December: collect feedback/revise documentation
- February: Evaluate project train all staff, roll out process
- June: Full implementation
- Document cost savings

"TEAM MEMBERS"

- Carolyn McGrath N.F.
- Gabrielle Wallace SE ASO
- Chris Ngon N.F.
- Kathryn Thornton SE-DSO
- Linda Graff SE DSO
- Julie Groth N.F.
- Sam Shoemaker N.F.
- Mark Gast NE ASO
- Victoria Finch NF

Payment Authorization

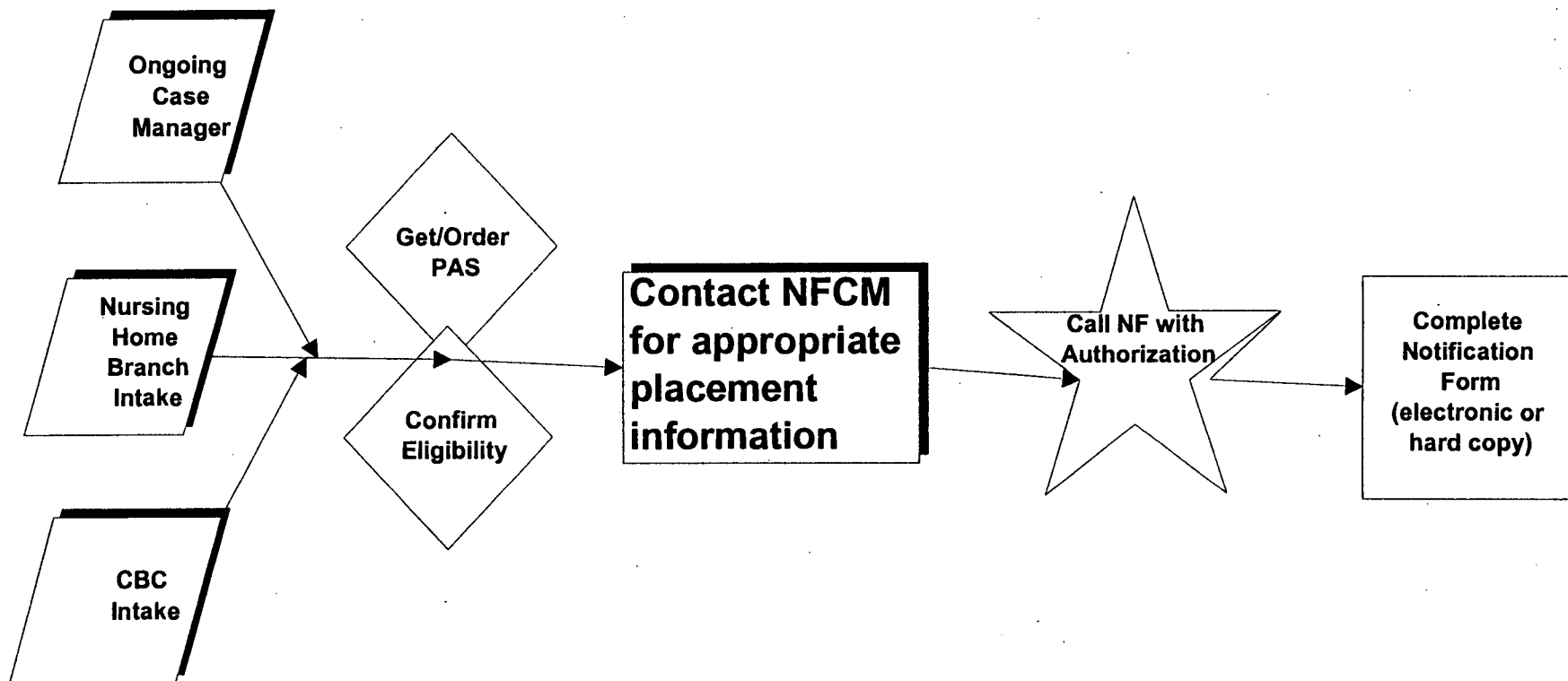


**We've Come A Long
Way Baby!**

1/7/99



PAYMENT AUTHORIZATION PROCESS



Before the formation of our PIT team, these and other examples occurred frequently enough and with such intensity and as far reaching as the whole county, that Kathy State began to look for solutions to the current prior authorization process. She participated in a tri-county effort to look at the problem. The group established some guidelines, and agreements around 10/24/96.

The County continued emphasizing Results. Kathy State decided that a PIT team might be the best way to address the prior authorization difference. Those interested attended process improvement training starting in April of 1997. The initial meeting was 6/4/97.

Our charge was as follows;

1. Will develop a new system for payment authorization.
2. Meets the needs of clients, facilities, placing workers, receiving workers, and That it be budget neutral.
3. Will implement the new process.
4. The Team will train those using it.

There were specific complaints about the prior authorization process. A high level of frustration and confusion persisted. The initial task for the team was to diagram the current process. Two versions emerged one from the nursing home branch and the other from DSO. Both diagrams showed lines and arrows that went everywhere, reflecting confusion. The fishbone diagram, our next project helped sort out root causes and effects. Our fish turned into a large whale and extra paper had to be used to include the head!!! An interview with the Division's policy expert helped clarify the "law." A pole of other branches throughout the state revealed alternative approaches. Finally a questionnaire was developed and circulated to case managers at NE Branch, DSO, and community-based in Mid-county. Completed surveys were tallied and the data collected to support the following facts:

- there is frustration
- misplaced and lost clients
- inappropriate placements
- delays in placement
- roadblocks or barriers to placement

THEREFORE;

After completing this long, arduous, painstaking, back-breaking, hand-wringing, head-spinning, gut-wrenching process, we come to you today with this, OUR NEW PROCESS, new world order this creation..... From this day forward this is how things will be done!!!! (until we tell you differently next week!).

PLACEMENT NOTIFICATION

<i>Name</i>		<i>Effective Date</i>		<i>Today's date</i>	
<i>Private Health Insurance</i>			<i>OHP</i>		<i>LOC</i>
<i>Prime #</i>	<i>Facility</i>			<i>Fac Phone #</i>	
<i>Case #</i>	<i>Previous Location</i>				
<i>Referring CM/Holds the Case</i>				<i>CM Phone #</i>	
<i>PAS RN</i>	<i>Flagged</i>	<i>Yes?</i>		<i>No?</i>	<i>How Long? Days</i>
<i>Medical issues/diagnosis</i>					
<i>Care needs/behavior issues</i>					
<i>Pertinent History</i>					
<i>Other Information</i>					
<i>Facility</i>			<i>Notified Nursing Home CM</i>		

FAX NOTIFICATION ASO NF BRANCH FAX # : 306-5554 E DSO FAX # : 736-6022

<i>To Nursing Home Case:</i>	
<i>From</i>	<i>Date</i>
<i>Comments</i>	

PLACEMENT NOTIFICATION						
<i>Name</i> of client being placed		<i>Effective Date</i> date placed		<i>Today's date</i>		
<i>Private Health Insurance</i> name of company/plan		<i>OHP</i> name of plan		<i>LOC</i> level of care		
<i>Prime #</i>	<i>Facility</i> where client is being placed		<i>Fac Phone #</i> of facility			
<i>Case #</i>	<i>Previous Location</i> name of hospital, ALF, AFH, etc					
<i>Referring CM/Holds the Case</i> name			<i>CM Phone #</i> of referring case mgr			
<i>PAS RN</i> name	<i>Flagged</i> Yes?		<i>No?</i>		<i>How Long?</i>	<i>Days</i>
<i>Medical issues/diagnosis</i> list multiple						
<i>Care needs/behavior issues</i> medical, behavioral, psychological, restorative, or ADL-related need						
requiring special attention, care or accomodation						
<i>Pertinent History</i> family dynamics and history, previous living situation, mental health history,						
protective services or relo history and other ADS-related history relevant to the placement						
<i>Other Information</i> any other pertinent information which does not fit into the above						
<i>Facility</i> staff person contacted at NF		<i>Notified Nursing Home CM</i> Y/N - name				

Use your Tab key, Arrow keys, or Enter Key to move from field to field within the form. Type in your responses.

Once you have completed the form, send it vis Groupwise to the appropriate Nursing Facility case manager. (See attached list).

To send the form thru Groupwise:

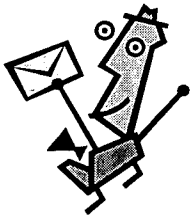
- Click on **File** in the upper left corner of your screen
- Click on **Send** (just below the middle of the list).
- Click on **Groupwise**

You should now be in Groupwise. The attachment icon is your completed Placement Notification form. Proceed as usual in sending the Groupwise message tot he NF case manager.

OPTIONS WITH THE NEW PLACEMENT FORM

- **You can easily Groupwise the completed Placement Notification Form to the appropriate Case Manager at the Nursing Facility Branch.**
- **Or if you prefer, you can FAX the completed Placement Notification Form to the Nursing Facility Case Manager in the appropriate Branch(ASO/DSO.)**
- **If you prefer there is always the option of simply calling the Nursing Facility Case Manager at the ASO/DSO.**

Payment Authorization



**We've Come A Long
Way Baby!**

1/7/99



Background

■ Problem Statement

- | Develop new system for payment authorization
- | Meet the needs of clients, facilities, case workers
- | Implement the new process
- | Train as needed

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Data Collection

- Flow chart
- Fishbone
- Interviews
- Surveys

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Survey results

■ For what levels of care is a Prior Authorization necessary?

- I 30% Aging --Confused Responses
- I 55% Disability--Confused Responses

■ Can you request a Prior Authorization without a Pre-Admission Screening?

- I 50% Aging and Disability --Confused Responses

1/7/99

Where are the delays in the Prior Authorization Process?

- I 38% Aging and 11% Disability responses cited staff availability
- I 24% Aging and 37% Disability responses indicated communication difficulties

1/7/99

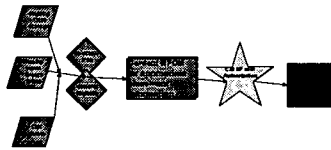
What's it all about?

- Payment Authorization Process
- Placement Notification Process

1/7/99

Improved Process

PAYMENT AUTHORIZATION PROCESS



1/7/00

Notification Process

■ notification form

1/7/00

Form

1/7/00

What's Next?

- Pilot Training Completed
- Full Implementation
- Follow up

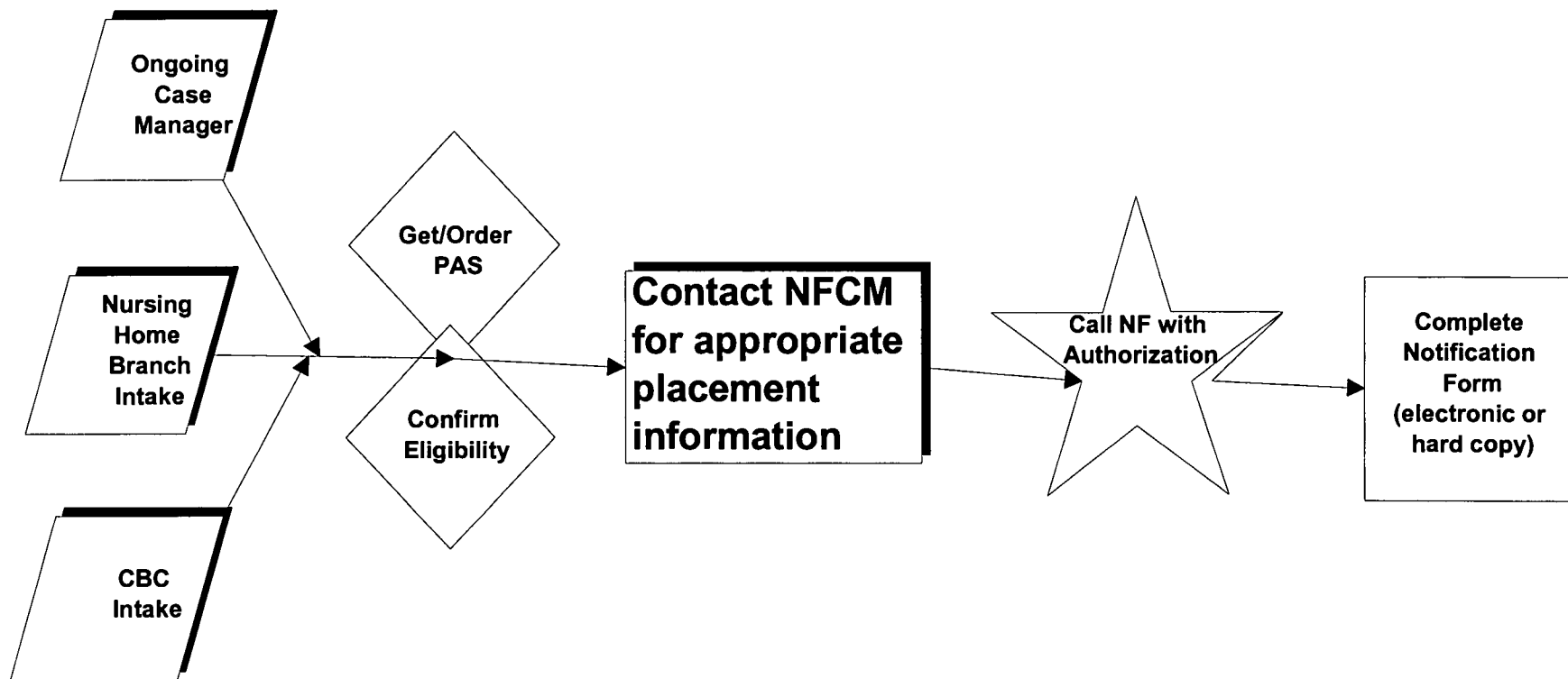
1/7/99

Questions



1/7/99

PAYMENT AUTHORIZATION PROCESS



BUDGET MODIFICATION NO.

HD7

(For Clerk's Use) Meeting Date

JAN 07 1999

Agenda No.

R-4

1. R PLACEMENT ON THE AGENDA FOR

(Date)

DEPARTMENT

Health

DIVISION Planning & Development

CONTACT

Kathy Innes

TELEPHONE 248-3056 x27027

) OF PERSON MAKING PRESENTATION TO BOARD

Tom Fronk

SUGGESTEDAGENDA TITLE

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

Approve an increase of \$138,991 and 2.41 FTE in the Planning & Development budget. Increases are funded with grant dollars from the National Institute of Health's Alcohol Abuse and Alcoholism Bureau.

(Estimated Time Needed on the Agenda)

2. CRIPTION OF MODIFICATION

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

ome from? What budget is reduced? Attach additional information if you need more space.)

☒

Personnel changes are shown in detail on the attached sheet

The National Institute on Alcohol and Alcoholism has awarded a grant to the Oregon Research Institute (ORI) to conduct research on the social influences on adolescent alcohol use. ORI is subcontracting with the Health Department's Planning and Development Division to carry out field work for the project.

This action adds 1.25 FTE of Health Information Specialist 1, .75 evaluation Specialist, and .33 Program Development Technician to the Planning and Development budget.

3. REVENUE IMPACT

(Explain revenues being changed and reason for the change)

Adds \$138,991 to the Federal State Fund

Adds \$3,822 of indirect to General Fund contingency.

BOARD OF
COUNTY COMMISSIONERS
98 DEC 30 PM 1:45
MULTNOMAH COUNTY
OREGON

4. CONTINGENCY STATUS

(to be completed by Budget & Quality)

Fund Contingency before this modification

Date

After this modification

Originated By

Date

Department Director

Date

Plan/Budget Analyst

Date

Employee Services

Date

Board Approval

Date

Billi Adegard 12/16/98

Melissa Deiken 12/10/98

W. Gordon C. Bogsted 1/7/99

PERSONNEL DETAIL FOR BUDGET MODIFICATION NO.
HD7
5. ANNUALIZED PERSONNEL CHANGES

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

				ANNUALIZED			
Permanent Positions, Temporary, Overtime, or Premium	JCN	Org	Explanation of Change	BASE PAY Increase (Decrease)	Increase/(Decrease)		TOTAL Increase (Decrease)
					Fringe	Ins.	
0.10	9798	0051	Co-princ Investigator	8113	1907	360	10380
1.00	9734	0051	Budget Analyst/Princip	54530	12820	5183	72533
1.00	6019	0051	Hlth Info Spec 1	25180	5920	5074	36174
1.00	6019	0051	Hlth Info Spec 1	12590	2960	2537	18087
0.50	6019	0051	Hlth Info Spec 1	12600	2962	1234	16796
0.66	6020	0051	Prog Dev Tech	20184	4745	2540	27469
							0
4.26	TOTAL CHANGE (ANNUALIZED)			\$133,197	\$31,314	\$16,928	\$181,439

6. FISCAL YEAR PERSONNEL DOLLAR CHANGES

(Calculate costs/savings that will take place this FY; these should explain the actual dollar amounts changed by this BudMod.)

				CURRENT FY			
Permanent Positions, Temporary, Overtime, or Premium	JCN	Org	Explanation of Change	BASE PAY Increase (Decrease)	Increase/(Decrease		TOTAL Increase (Decrease)
					Fringe	Ins.	
0.08	9798	0051	Co-princ Investigator	6490	1526	288	8304
0.75	9734	0051	Budget Analyst/Princip	41000	9639	3897	54536
0.50	6019	0051	Hlth Info Spec 1	12590	2960	2537	18087
0.50	6019	0051	Hlth Info Spec 1	12590	2960	2537	18087
0.25	6019	0051	Hlth Info Spec 1	6300	1481	166	7947
0.33	6020	0051	Prog Dev Tech	10092	2373	1270	13735
2.41							
TOTAL CURRENT FISCAL YEAR CHANGES				\$89,062	\$20,939	\$10,695	\$120,696


EXPENDITURE												
TRANSACTION EB GM []												
TRANSACTION DATE												
ACCOUNTING PERIOD												
BUDGET FY												
Document				Organi-		Reporting		Current	Revised	Change		
Number	Action	Fund	Agency	zation	Activity	Category	Object	Amount	Amount	Increase	Subtotal	Description
		156	015	0051			5100			89,062		
		156	015	0051			5500			20,939		
		156	015	0051			5550			10,695	120,696	
		156	015	0051			6120			300		
		156	015	0051			6310			1,000		
		156	015	0051			6330			1,070	123,066	
		156	015	0051			7100			15,925	138,991	
		100	015	0905			6110			12,103		
		100	075	9120			7700			3,822	15,925	
		400	070	7522			6580			10,695		
TOTAL EXPENDITURE CHANGE												
										165,611		
REVENUE												
TRANSACTION RB GM []												
TRANSACTION DATE												
ACCOUNTING PERIOD												
BUDGET FY												
Document				Organi-		Reporting		Current	Revised	Change		
Number	Action	Fund	Agency	zation	Activity	Category	Object	Amount	Amount	Increase	Subtotal	Description
		156	015	0051			2xxx			138,991		Oregon Reseach Inst
		100	075	7410			6602			15,925		code requested
		400	070	7522			6602			10,695		
									0			
									0			
									0			
									0			
									0			
									0			
TOTAL REVENUE CHANGE												
										165,611	0	



MULTNOMAH COUNTY, OREGON

BOARD OF COUNTY COMMISSIONERS
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GARY HANSEN
TANYA COLLIER
SHARRON KELLEY

HEALTH DEPARTMENT
BUSINESS SERVICES
McCOY BUILDING
426 SW STARK
PORTLAND, OR 97204
PHONE (503) 248-3056

TO: Board of County Commissioners
FROM:  Bill Odegaard
TODAY'S DATE: Dec. 14, 1998
REQUESTED PLACEMENT DATE: Jan. 7, 1999
SUBJECT: Health Budget Modification Number 7

I. Recommendation / Action Requested:

Approve an increase of \$138,991 and 2.41 FTE in the Planning and Development budget. The increases are funded with grant dollars from the National Institute of Health's Alcohol Abuse and Alcoholism Bureau.

II. Background / Analysis:

The National Institute on Alcohol and Alcoholism has awarded a grant to the Oregon Research Institute, (ORI), to conduct research on the social influences on adolescent alcohol use. ORI is subcontracting with the Health Department's Planning and Development Division to carry out field work for the project. This action adds 1.25 FTE of Health Information Specialist 1, .75 evaluation Specialist, and .33 Program Development Technician to the Planning and Development budget.

III. Financial Impact:

This action adds \$138,991 to the Federal State Fund and \$3,822 of indirect to the General Fund contingency.

IV. Legal Issues: NA

V. Controversial Issues: NA

VI. Link to Current County Policies: NA

VII. Citizen Participation: NA

VIII. Other Government Participation: NA

BUDGET MODIFICATION NO.

HD9

(For Clerk's Use) Meeting Date JAN 07 1999
Agenda No. R-5

1. REPLACEMENT ON THE AGENDA FOR

(Date)

DEPARTMENT Health

DIVISION _____

CONTACT Kathy InnesTELEPHONE 248-3056 x27027

) OF PERSON MAKING PRESENTATION TO BOARD

Kathy InnesSUGGESTEDAGENDA TITLE

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

Approve an increase of \$18,464 and .25 FTE in the Communicable Disease budget for a cost analysis of the Tuberculin Skin Testing program funded with grant dollars received from the Federal Center for Disease Control through the Oregon Health 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 changes

come from? What budget is reduced? Attach additional information if you need more space.)



Personnel changes are shown in detail on the attached sheet

Adds .25 Program Development Tech and \$2,676 in on-call. The funds have been provided by the Center for Disease Control to do a cost study of the Tuberculin Skin Testing program implemented by the Health Dept. over the last two years. The CDC wants the study done prior to implementing the tracking program in other Health Departments. The action also replaces .5 Health Information Specialist 2 in the Hepatitis program with .5 Program Dev. technician.

3. REVENUE IMPACT

(Explain revenues being changed and reason for the change)

Adds \$18,464 to the Federal State Fund and \$554 to the General Fund in indirect costs.

98 DEC 30 PM 1:46
COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON

4. CONTINGENCY STATUS (to be completed by Budget & Quality)

Fund Contingency before this modification _____

Date _____

After this modification _____

Originated By _____

Date _____

Department Director _____

Date _____

Plan/Budget Analyst _____

Date _____

Employee Services _____

Date _____

Board Approval _____

Date _____

W. B. ROBERTSON1/7/99Melinda Dailley12/10/98

PERSONNEL DETAIL FOR BUDGET MODIFICATION NO.
HD9
5. ANNUALIZED PERSONNEL CHANGES
HD9

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

				ANNUALIZED			
Permanent Positions, Temporary, Overtime, or Premium	JCN	Org	Explanation of Change	BASE PAY Increase (Decrease)	Increase/(Decrease)		TOTAL Increase (Decrease)
					Fringe	Ins.	
-1.00	6018	0372	Hlth Info Spec 2	(34,222)	(5,992)	(1,156)	(41,370)
1.00	6020	0372	Prog Dev Tech	29,648	6,972	4,750	41,370
-0.04	9693	0371	Health Svcs Admin	(2,504)	(430)	(234)	(3168)
0.04	9693	0374	Health Svcs Admin	2,504	430	234	3168
0.50	6020	0374	Prog Dev Tech	14,824	3,486	2,396	20706
1.00	9696	0330	Health Svcs Spec	40,643	9,554	4,553	54750
-0.60	6024	0330	Hlth Info Spec/Sr	(24,484)	(5,756)	(2,745)	(32985)
							0
0.90	TOTAL CHANGE (ANNUALIZED)			\$26,409	\$8,264	\$7,798	\$42,471

6. EAR PERSONNEL DOLLAR CHANGES

0 (Calculate costs/savings that will take place this FY; these should explain the actual dollar amounts changed by this BudMod.)

				CURRENT FY			
Permanent Positions, Temporary, Overtime, or Premium	JCN	Org	Explanation of Change	BASE PAY Increase (Decrease)	Increase/(Decrease)		TOTAL Increase (Decrease)
					Fringe	Ins.	
-0.50	6018	0372	Hlth Info Spec 2	(17,111)	(2,996)	(578)	(20,685)
0.50	6020	0372	Prog Dev Tech	14,824	3,486	2,375	20,685
-0.04	9693	0371	Health Svcs Admin	(2,504)	(430)	(234)	(3168)
0.04	9693	0374	Health Svcs Admin	2,504	430	234	3168
0.25	6020	0374	Prog Dev Tech	7,412	1,743	1,198	10353
-0.60	6024	0330	Hlth Info Spec/Sr	(24,484)	(5,756)	(2,745)	(32985)
0.60	9696	0330	Health Svcs Spec	24,484	5,756	2,745	32985
0.25							
TOTAL CURRENT FISCAL YEAR CHANGES				\$5,125	\$2,233	\$2,995	\$10,353

EXPENDITURE				HD9									
TRANSACTION EB GM []			TRANSACTION DATE					ACCOUNTING PERIOD			BUDGET FY		
Document				Organi-		Reporting		Current	Revised	Change			
Number	Action	Fund	Agency	zation	Activity	Category	Object	Amount	Amount	Increase (Decrease)	Subtotal	Description	
		156	015	0374			5100			9,916			
		156	015	0374			5200			2,676			
		156	015	0374			5500			2,419			
		156	015	0374			5550			1,432	16,443		
		156	015	0374			6230			342	16,785		
		156	015	0374			7100			2,172	18,957		
		156	015	0372			5100			(2,287)			
		156	015	0372			5500			490			
		156	015	0372			5550			1,797	0		
		156	015	0371			5100			(2,504)			
		156	015	0371			5200			3,168			
		156	015	0371			5500			(430)			
		156	015	0371			5550			(234)	0		
		100	015	9130			7608			493			
		100	075	9120			7700			554			
		100	015	0905			6110			1,125	2,172		
		400	070	7522			6580			2,995			
TOTAL EXPENDITURE CHANGE										24,124	54,357		
REVENUE													
TRANSACTION RB GM []			TRANSACTION DATE					ACCOUNTING PERIOD			BUDGET FY		
Document				Organi-		Reporting		Current	Revised	Change			
Number	Action	Fund	Agency	zation	Activity	Category	Object	Amount	Amount	Increase (Decrease)	Subtotal	Description	
		156	015	0374			new			18,464		TB Skin Testing/OHD	
		156	015	0374			7601			493	18,957		
		100	075	7410			6602			2,172			
		400	070	7522			6602			2,995			
									0				
TOTAL REVENUE CHANGE										24,124			



MULTNOMAH COUNTY, OREGON

BOARD OF COUNTY COMMISSIONERS
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GARY HANSEN
TANYA COLLIER
SHARRON KELLEY

HEALTH DEPARTMENT
BUSINESS SERVICES
McCOY BUILDING
426 SW STARK
PORTLAND, OR 97204
PHONE (503) 248-3056

TO: Board of County Commissioners

FROM:  Odgaard

TODAY'S DATE: Dec. 14, 1998

REQUESTED PLACEMENT DATE: Jan. 7, 1999

SUBJECT: Health Budget Modification Number 9

I. Recommendation / Action Requested:

Approve an increase of \$18,464 and .25 FTE in the Communicable Disease budget for a cost analysis of the Tuberculin Skin Testing program funded with grant dollars received from the Federal Center for Disease Control through the Oregon Health Division.

II. Background / Analysis:

Adds .25 Program Development Tech and \$2,676 in on-call. The funds have been provided by the Center for Disease Control to do a cost study of the Tuberculin Skin Testing program implemented by the Health Dept. over the last two years. The CDC wants the study done prior to implementing the tracking program in other Health Departments. The action also replaces .5 Health Information Specialist 2 in the Hepatitis program with .5 Program Development technician.

III. Financial Impact:

This action adds \$18,464 to the Federal State Fund and \$554 of indirect to the General Fund contingency.

IV. Legal Issues: NA

V. Controversial Issues:

VI. Link to Current County Policies: NA

VII. Citizen Participation: NA

VIII. Other Government Participation: NA

BUDGET MODIFICATION NO.

HD10

(For Clerk's Use) Meeting Date

JAN 07 1999

Agenda No.

R-6

1. R PLACEMENT ON THE AGENDA FOR

(Date)

DEPARTMENT

Health

DIVISION Disease Control & Prev

CONTACT

Kathy Innes

TELEPHONE 248-3056 x27027

) OF PERSON MAKING PRESENTATION TO BOARD

Dave Houghton

SUGGESTEDAGENDA TITLE

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

Approve an increase of 1.15 FTE and \$67,135 in the Disease Control&Prevention budget funded with grant dollars received from the Federal Public Health Service for Enhancement of Local Public Health Dept. Participation in Brownfields Decisions.

(Estimated Time Needed on the Agenda)

2. CRIPTION OF MODIFICATION

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

ome from? What budget is reduced? Attach additional information if you need more space.)

☒

Personnel changes are shown in detail on the attached sheet

This action adds .75 sanitarian and .4 Health Information Spec 1 and \$67,135 funded with a Brownfields Decisions and Actions grant from the Public Health Service. The program is for community outreach and education on polluted, abandoned, and underutilized commercial or industrialized properties.

3. REVENUE IMPACT

(Explain revenues being changed and reason for the change)

Adds \$67,135 to the Federal State Fund and \$1,780 to the General Fund in indirect costs.

BOARD OF
COUNTY COMMISSIONERS
98 DEC 30 PM 1:46
MULTNOMAH COUNTY
OREGON

4. CONTINGENCY STATUS (to be completed by Budget & Quality)

Fund Contingency before this modification

Date

After this modification

Originated By

Date

Department Director

Date

Plan/Budget Analyst

Date

Employee Services

Date

Board Approval

Date

Billi Odgaard 12/16/98
Chris Hux 12-28-98
Catherine Baister 1/7/99
Billi Odgaard 12/16/98
Melvin Dailey 12/10/98

PERSONNEL DETAIL FOR BUDGET MODIFICATION NO.
HD10
5. ANNUALIZED PERSONNEL CHANGES
HD10

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

				ANNUALIZED			
Permanent Positions, Temporary, Overtime, or Premium	JCN	Org	Explanation of Change	BASE PAY Increase (Decrease)	Increase/(Decrease)		TOTAL Increase (Decrease)
					Fringe	Ins.	
1.00	6356	0301	Sanitarian	35993	1001	4312	41306
0.50	6019	0301	Hlth Info Spec 1	13326	4072	3062	20460
							0
1.50	TOTAL CHANGE (ANNUALIZED)			\$49,319	\$5,073	\$7,374	\$61,766

6. EAR PERSONNEL DOLLAR CHANGES

0 (Calculate costs/savings that will take place this FY; these should explain the actual dollar amounts changed by this BudMod.)

				CURRENT FY			
Permanent Positions, Temporary, Overtime, or Premium	JCN	Org	Explanation of Change	BASE PAY Increase (Decrease)	Increase/(Decrease)		TOTAL Increase (Decrease)
					Fringe	Ins.	
0.75	6356	0301	Sanitarian	27687	6509	3095	37291
0.40	6019	0301	Hlth Info Spec 1	10251	2410	2274	14935

EXPENDITURE												
HD10												
TRANSACTION EB GM []			TRANSACTION DATE				ACCOUNTING PERIOD				BUDGET FY	
										Change		
Document				Organi-	Reporting		Current	Revised	Increase			
Number	Action	Fund	Agency	zation	Activity	Category	Object	Amount	Amount	(Decrease)	Subtotal	Description
		156	015	0301			5100			37,938		
		156	015	0301			5500			8,919		
		156	015	0301			5550			5,369	52,226	
		156	015	0301			6120			2,700		
		156	015	0301			6170			500		
		156	015	0301			6230			1,150		
		156	015	0301			6330			358		
		156	015	0301			7100			7,417		
		156	015	0301			7150			384		
		156	015	0301			8400			2,400	67,135	
		100	075	9120			7700			1,780		
		100	015	0905			6110			5,637	7,417	
		400	070	7522			6580			5,369		
TOTAL EXPENDITURE CHANGE										79,921		
REVENUE												
TRANSACTION RB GM []			TRANSACTION DATE				ACCOUNTING PERIOD				BUDGET FY	
										Change		
Document				Organi-	Reporting		Current	Revised	Increase			
Number	Action	Fund	Agency	zation	Activity	Category	Object	Amount	Amount	(Decrease)	Subtotal	Description
		156	015	0301			2195			67,135		
		100	075	7410			6602			7,417		
		400	070	7522			6602			5,369		
TOTAL REVENUE CHANGE										79,921	0	



MULTNOMAH COUNTY, OREGON

BOARD OF COUNTY COMMISSIONERS
BEVERLY STEIN
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SHARRON KELLEY

HEALTH DEPARTMENT
BUSINESS SERVICES
McCOY BUILDING
426 SW STARK
PORTLAND, OR 97204
PHONE (503) 248-3056

TO: Board of County Commissioners

FROM: Bill Odegaard

TODAY'S DATE: Dec. 14, 1998

REQUESTED PLACEMENT DATE: Jan. 7, 1999

SUBJECT: Health Budget Modification Number 10

I. Recommendation / Action Requested:

Approve an increase of \$67,135 and 1.15 FTE in the Disease Control and Prevention budget. The increases are funded with grant dollars from the Federal Agency for Toxic Substances & Disease Registry (ATSDR).

II. Background / Analysis:

ATSDR has awarded funds for the Enhancement of Local Public Health Departments Participation in Brownfields Decisions and Actions. The funds are targeted for the implementation of the Brownfields Health Awareness Project (BHAP). BHAP will partner with community based organizations and other stakeholders to provide community outreach and education regarding public health issues surrounding the revitalization of idle, abandoned, or underutilized commercial and industrial properties that have a perceived or actual contamination of pollutants in targeted N/NE Portland communities. BHAP is a partner in the larger Portland Livable Communities Showcase project implemented by the City of Portland and the Environmental Protection Agency. A major goal of the project is to help facilitate revitalization of properties in the Portland Enterprise Community.

III. Financial Impact:

This action adds \$67,135 to the Federal State Fund and \$1,780 of indirect to the General Fund contingency.

IV. Legal Issues: NA

V. Controversial Issues:

Identification of a site as a potential brownfield can decrease its value or have adverse economic effects concerning clean up and redevelopment, however, BHAP does not have any direct role in identifying a site as a brownfield. There is an environmental justice issue concerning the location of brownfield sites and how public/private resources have historically been allocated for the redevelopment of such sites. BHAP is one avenue to help address inequities that have occurred.

VI. Link to Current County Policies: NA

Coincides with MCHD's "Healthy People, Healthy Communities" mission statement.

VII. Citizen Participation: NA

Community based organizations such as the Urban League and neighborhood associations, and community businesses.

VIII. Other Government Participation:

BHAP is a partner of the larger Portland Livable Communities Showcase project being implemented by the City of Portland and the Environmental Protection Agency.

JAN 07 1999
MEETING DATE: DEC 10 1998
AGENDA NO: R-3 R-7
ESTIMATED START TIME: 9:00
10:15

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Ordinance providing for designation of interim County Commissioner

BOARD BRIEFING: DATE REQUESTED: _____
REQUESTED BY: _____
AMOUNT OF TIME NEEDED: _____

REGULAR MEETING: DATE REQUESTED: December 10, 1998
AMOUNT OF TIME NEEDED: 5 minutes

DEPARTMENT: ND DIVISION: County Counsel
CONTACT: Thomas Sponsler TELEPHONE #: x22834
BLDG/ROOM #: 106/1530

PERSON(S) MAKING PRESENTATION: Thomas Sponsler

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

SUGGESTED AGENDA TITLE:

First reading and emergency enactment of ordinance amending MCC 5.005 to provide for designation of interim County Commissioner

BOARD OF
COUNTY COMMISSIONERS
98 NOV 30 PM 10:30
MULTNOMAH COUNTY
OREGON

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____
(OR)
DEPARTMENT MANAGER: Thomas Sponsler

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ 248-3277



OFFICE OF
MULTNOMAH COUNTY COUNSEL

THOMAS SPONSER
County Counsel

1120 S.W. FIFTH AVENUE, SUITE 1530
PORTLAND, OREGON 97204-1977


FAX 248-3377
(503) 248-3138

SANDRA N. DUFFY
Chief Assistant

SUSAN DUNAWAY
KATIE GAETJENS
GERALD H. ITKIN
JEFFREY B. LITWAK
STEVEN J. NEMIROW
MATTHEW O. RYAN
AGNES SOWLE
JOHN S. THOMAS
JACQUELINE A. WEBER
Assistants

SUPPLEMENTAL STAFF REPORT

TO: Board of County Commissioners

FROM: Thomas Sponsler
County Counsel 

DATE: November 23, 1998

RE: Ordinance providing for designation of interim County Commissioner

1. Action Requested:

First reading and emergency enactment of ordinance providing for designation of interim County Commissioner

2. Background:

In 1989 the Charter was amended to allow designation of an interim person to fill a vacancy in the office of Chair, Sheriff or Auditor until election or appointment. The 1997 County Charter Review Committee recommended an amendment to allow designation of an interim county commissioner. The Board submitted the amendment to voters who passed the measure 26-80 at the November 3, 1998, election. This ordinance implements the charter amendment authorizing the Board to prescribe a procedure by ordinance to designate interim occupants for vacant elective offices.

3. Financial Impact:

No direct impact.

4. Legal Issues:

Complies with Charter requirement.

5. Controversial Issues:

None.

6. Link to Current County Policies:

Implement Charter provision and good government benchmark.

7. Citizen Participation:

Implements charter amendment approved by voters.

8. Other Government Participation:

N/A

1 BEFORE THE BOARD OF COUNTY COMMISSIONERS

2 FOR MULTNOMAH COUNTY, OREGON

3 ORDINANCE NO. _____

4
5 An ordinance amending MCC 5.005 prescribing procedures for designation of interim
6 officers for vacant elective offices and declaring an emergency.

7 (Stricken language is to be deleted; double-underlined language is new.)

8 Multnomah County ordains as follows:

9 Section 1. MCC 5.005 is amended as follows:

10 § 5.005 DESIGNATION OF INTERIM ~~CHAIR, AUDITOR OR SHERIFF~~ ELECTIVE OFFICERS.

11 (A) *Purpose.*

12 (1) When a vacancy occurs in elective county offices, the Charter provides for
13 filling the vacancy by election or appointment, depending on the time remaining before
14 expiration of the affected term of office (Charter § 4.50(1)).

15 (2) ~~The Charter recognizes that the Chair, Auditor, and Sheriff perform~~
16 ~~ongoing, day to day administrative responsibilities that should not be interrupted. Accordingly,~~
17 ~~Charter § 4.50(3) provides that~~ in the event of a vacancy in an elective office, an interim
18 occupant of the office ~~vacancies in these offices should be filled by interim designees, who shall~~
19 ~~serve until the vacancy is filled by election or appointment. This section carries out the Charter~~
20 ~~requirement that the Board prescribe procedures to designate interim occupants of the~~ elective
21 ~~offices of the Chair, Auditor, and Sheriff. The section parallels a state law (ORS 236.220) by~~
22 ~~designating the chief deputies of the Chair, Auditor, and Sheriff as their interim successors.~~

23 (B) *Process for designating interim ~~Chair, Auditor, or Sheriff~~ officers.*

24 (1) ~~The Chair, Auditor, and Sheriff~~ County elected officials shall each
25 designate a chief deputy for performance of their ~~administrative~~ responsibilities. The designation
26 shall be in writing and filed with the ~~C~~lerk of the Board.

1 (2) ~~In the event of~~ When there is a vacancy in the office of Chair, Auditor, or
2 ~~Sheriff~~, the designated chief deputy shall serve as acting Chair, Commissioner, Auditor, or
3 Sheriff until the vacancy is filled by election or appointment, as appropriate under the Charter.

4 (3) In the event a chief deputy for ~~the~~ an elective office of Chair, Auditor, or
5 ~~Sheriff~~ has not been designated, or if the designated chief deputy is unable to immediately serve
6 ~~due to absence or illness~~, the Board shall promptly ~~convene and appoint a person to fill the~~
7 ~~vacancy on an interim basis~~ designate the interim officer. The appointment shall be in writing and
8 filed with the clerk of the Board.

9 Section II. An emergency is declared to exist because it is necessary and in the public
10 interest that this ordinance take effect as soon as possible to implement the procedure for designation of
11 interim County Commissioner, and this ordinance shall take effect immediately upon passage by the
12 Board.

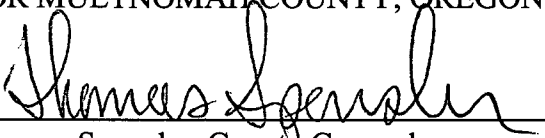
13 FIRST READING AND

14 EMERGENCY ENACTMENT: _____

15
16
17 BOARD OF COUNTY COMMISSIONERS
18 MULTNOMAH COUNTY, OREGON

19
20 _____
21 Beverly Stein, Chair
22 Multnomah County, Oregon

23 REVIEWED:
24 COUNTY COUNSEL
25 FOR MULTNOMAH COUNTY, OREGON

26 
 Thomas Sponsler, County Counsel

BOGSTAD Deborah L

From: SPONSLER Thomas
Sent: Wednesday, December 09, 1998 5:29 PM
To: STEIN Beverly E; LINN Diane M; HANSEN Gary D; NAITO Lisa H; TRACHTENBERG Robert J
Cc: DUFFY Sandra N; COMITO Charlotte A; FORD Carol M; BOGSTAD Deborah L; DELMAN Mike H; WEIT Ramsay; KELLEY Sharron E; MARCH Steve J
Subject: RE: Amendments for R-3 on December 10 agenda

These matters need to be discussed at the Board meeting. Charter section 3.20 requires each board member to be nominated and elected from a district by position. It is not clear that this applies to interim commissioners, though I believe the board by ordinance could require this of interims.

Section 3.10 states that the chair shall be elected from the county at large. Section 4.10(1) requires county elective officers to have been a qualified elector of the county for 18 months before becoming such officer. It also requires appointees for commissioner position to be a resident of the district for 18 months immediately before becoming such commissioners. The charter seems to distinguish between "appointee" and "designatees" so this may not apply to interims. Again, the board by ordinance could require this of interims.

Section 4.40(1)(f) creates a vacancy in the elective office when an incumbent cease to reside within the county.

Section 4.50(1) relates to filling of offices by election or appointment. Section 4.40(3) relates to designation of interim occupants of elected offices. Interims only serve as "acting" officers until the office is filled by election or appointment.

The proposed ordinance is only intended to make changes to the existing code necessary to carry out recent charter amendment to section 4.50(3).

MCC 5.006 relates to appointments by the board. The board may wish to amend this section to adopt a more complete process for filling such vacancies.

From: TRACHTENBERG Robert J
Sent: Wednesday, December 09, 1998 4:24 PM
To: STEIN Beverly E; LINN Diane M; HANSEN Gary D; NAITO Lisa H
Cc: DUFFY Sandra N; COMITO Charlotte A; FORD Carol M; BOGSTAD Deborah L; DELMAN Mike H; WEIT Ramsay; KELLEY Sharron E; MARCH Steve J; SPONSLER Thomas
Subject: Amendments for R-3 on December 10 agenda

Sharron would like to discuss the following amendments at the meeting tomorrow:

1. There should be changes that require the interim Chair and Sheriff to reside in Multnomah County and the interim District Commissioners to reside in their respective districts [unless this is already mandated by the charter elsewhere].
2. Change the selection process for filling (district) commissioner vacancies as follows [patterned after Metro Code section 9.01.060(a)]:

At the time of a declaration of a vacancy in the position of a commissioner elected by district, if the Board of Commissioners determines that the position may remain vacant for more than 90 days, the Board shall commence an appointment process for a temporary replacement, incorporating the following procedures:

(1) Public notice of the appointment process, the availability of application forms, and the deadline for submitting applications. Public notice shall include providing notice of the appointment process, the availability of application forms, and the deadline for submitting applications to official neighborhood organizations, cities, civic groups, a newspaper of general circulation, and other recognized groups, newspapers and circulars that serve the district in which the vacancy has occurred;

(2) The deadline for submitting applications shall be two weeks after the declaration of vacancy, unless a separate deadline is established by the Board of Commissioners;

(3) The Board of Commissioners shall in a public meeting appoint the person to fill the vacancy from those applicants nominated and seconded for consideration by members of the Board of Commissioners. Voting shall be by written signed ballot. The Clerk of the Board shall announce the results of each ballot following the vote and shall record the result of each commissioner's ballot. An applicant who receives a majority of the votes by the remaining members of the Board shall be appointed to the vacant position. If no applicant receives a majority vote of the Board on the first ballot, the Board shall continue to vote on the two applicants who receive the most votes until an applicant receives a majority vote of the Board.

HOME RULE CHARTER*

Preamble

- Ch. I. Preliminary Provisions**
- Ch. II. Powers**
- Ch. III. Governing Body**
- Ch. IV. County Officers in General**
- Ch. V. Ordinances**
- Ch. VI. Administration**
- Ch. VII. Personnel**
- Ch. VIII. Finance**
- Ch. IX. Service Districts**
- Ch. X. Public Improvements**
- Ch. XI. Elections**
- Ch. XII. Miscellaneous**
- Ch. XIII. Transition**

***Editor's note**—Printed herein is the Home Rule Charter of the county in effect as of November 30, 1990. Words or phrases added to the text by the editor for purposes of clarification are enclosed in brackets.

As the charter appeared in the October 1986 revision of the Code, it contained bracketed language in sections 3.60, 3.70, 4.40, 5.40, 5.50, 6.10, 8.10 and 12.40, and a previous version of section 3.10, designated as not effective after Dec. 31, 1986. These provisions have been deleted.

PREAMBLE

We, the people of Multnomah County, Oregon, in recognition of the dual role of the county as a unit of local government and as an agency of the state, and in order to avail ourselves of local determination in county affairs to the fullest extent possible under the constitution and laws of the state, by this charter confer upon the county the following powers, subject it to the following restrictions, and prescribe for it the following procedures and governmental structure.

CHAPTER I. PRELIMINARY PROVISIONS

1.10. Name.

The name of the county as it operates under this charter shall continue to be Multnomah County.

1.20. Nature.

Under the charter, the county shall continue to be a body politic and corporate and an agency of the state.

1.30. Boundaries.

The boundaries of the county as it operates under the charter shall be its boundaries prescribed by or pursuant to the laws of the state.

1.40. County seat.

The seat of government of the county as it operates under the charter shall continue to be in the City of Portland.

CHAPTER II. POWERS

2.10. General grant of powers.

(1) Except as this charter provides to the contrary, the county shall have authority over matters of county concern to the fullest extent granted or allowed by the constitutions and laws of the United States and the State of Oregon, as fully as though each particular power comprised in that general authority were specifically listed in the charter.

(2) The charter shall be liberally construed, and each power of the county under the charter shall be construed as a continuing power unless the charter or the grant of the power indicates the contrary.

2.20. Where powers vested.

Except as this charter or a state constitutional or statutory provision regarding the initiative and referendum provides to the contrary, the legislative power of the county shall be vested in and exercisable only by the board of county commissioners. Any other power of the county not vested by the charter elsewhere shall be vested in the board but may be delegated by it.

CHAPTER III. GOVERNING BODY

3.10. Membership.

The governing body shall be a board of five county commissioners. The chair of the board shall be elected from the county at large. Four county commissioners shall be elected from districts as herein established and described. Descriptions for each district are based on block groups and census tracts as employed by the United States Department of Commerce, Bureau of the Census, in compiling the 1980 decennial census.

- (1) Position No. 1 shall be occupied by that commissioner elected from or appointed to the West District, the boundaries of which are as follows:

Bounded on the north by Columbia County; bounded on the east as follows: Washington State line at the Columbia River, south to Willamette River, south on the Willamette River to the Union Pacific R.R. at the Steel Bridge, east on the Union Pacific R.R. parallel to the Banfield Freeway to 21st Ave., south on 21st Ave. to 20th Ave., south on 20th Ave. to Stark St., east on Stark St. to 30th Ave., south on 30th Ave. to Hawthorne St., east on Hawthorne St. to 39th Ave., south on 39th Ave. and its extension to the Portland Traction R.R. right-of-way (40 Mile Loop Trail), southeast on the Portland Traction R.R. right-of-way to the Clackamas

County line; bounded on the south by Clackamas County; and bounded on the west by Washington County. This district consists of the following census tracts, block groups and blocks:

All of census tracts 1, 2, 9.01, 9.02, 10, 11.01, 11.02, 12.01, 12.02, 13.02, 21, 43, 45, 46.01, 46.02, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60.01, 60.02, 61, 62, 63, 64.01, 64.02, 65.01, 65.02, 66.01, 66.02, 67.01, 67.02, 68.01, 68.02, 69, 70, 71, 106.98, and 107.98; and those portions of census tracts as follows: that portion of tract 3.01 west of 39th Ave. consisting of blocks 106, 107, 108, 109, 110, 111, 114, 115, 116, 117, 118, 119, 123, 124, 125, 202, 203, 213, 214, 215, 216, 217, 219, 220, 221, 222, 223, 224, 225, 226, 228, 233, 234, 235, 236, 255, 256, 260, 262, and block group 3; and those portions of tract 3.02 south of the Portland Traction R.R. right-of-way (40 Mile Loop Trail), and west of 39th Ave. consisting of blocks 401, 402, 403, 404, 405, 406, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, block groups 5, 6, 7, and that portion of block 327 south of the Portland Traction R.R. right-of-way (40 Mile Loop Trail).

- (2) Position No. 2 shall be occupied by that commissioner elected from or appointed to the North District, the boundaries of which are as follows:

Bounded on the north by the Washington state line at the Columbia River; bounded on the east and south as follows: beginning at the Washington State line and the Columbia River at a point west of Government Island, southeast along the south channel of the Columbia River to I-205, south on I-205 to Sandy Blvd., southwest on Sandy Blvd. to 82nd Ave., south on 82nd Ave. to the Union Pacific R.R. at the Banfield Freeway, west along the Union Pacific R.R. parallel to the Banfield Freeway to the Willamette River at the Steel Bridge; bounded on the west by the Willamette River. This district consists of the following census tracts, block groups and blocks:

All of census tracts 22.01, 22.02, 23.01, 23.02, 24.01, 24.02, 25.01, 25.02, 26, 27.01, 27.02, 28.01, 28.02, 29.01, 29.02, 30, 31, 32, 33.01, 33.02, 34.01, 34.02, 35.01, 35.02, 36.01, 36.02, 36.03, 37.01, 37.02, 38.01, 38.02, 38.03, 39.01, 39.02, 40.01, 40.02, 41.01, 41.02, 42, 44, 44.99, 72.01, 72.02, 72.99, 74, 75, 76; and those portions of census tracts as follows: that portion of tract 73 west of I-205, consisting of block group 1; and that portion of tract 77 west of I-205, consisting of blocks 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, and block group 2, and that portion of block 102 west of I-205.

- (3) Position No. 3 shall be occupied by that commissioner elected from or appointed to the Central District, the boundaries of which are as follows:

Bounded on the north and east as follows: beginning at the intersection of 21st Ave. and the Union Pacific R.R. at the Banfield Freeway, east along the Union Pacific R.R. parallel to the Banfield Freeway to 82nd Ave., north on 82nd Ave. to Sandy Blvd., northeast and east on Sandy Blvd. to 121st Pl.; south on 121st Pl. to 122nd Ave., south on 122nd Ave. to the Portland Traction R.R. right-of-way (40 Mile Loop Trail), east on the Portland Traction R.R. right-of-way to 136th Ave., south on 136th Ave. to Foster Rd., west on Foster Rd. to 134th Ave. south on 134th Ave. to Deardorff Rd., south on Deardorff Rd. to the Clackamas County line; bounded on the south by Clackamas County; bounded on the west as follows: beginning at the Clackamas County line and the Portland Traction R.R. right-of-way (40 Mile Loop Trail) near Johnson Creek Blvd. and 45th Pl., northwest along the Portland Traction R.R. right-of-way to the extension of 39th Ave., north on the extension of 39th Ave. and 39th Ave. to Hawthorne Blvd., west on Hawthorne Blvd. to 30th Ave., north on 30th Ave. to Stark St., west on Stark St. to 20th Ave., north on 20th Ave. to 21st Ave. north on 21st Ave. to the Union Pacific R.R. at the Banfield Freeway. This

district consists of the following census tracts, block groups, and blocks:

All of census tracts 4.01, 4.02, 5.01, 5.02, 6.01, 6.02, 7.01, 7.02, 8.01, 8.02, 13.01, 14, 15, 16.01, 16.02, 17.01, 17.02, 18.01, 18.02, 19, 20, 29.03, 78, 80.01, 80.02, 81, 82.01, 82.02, 83.01, 83.02, 84, 85, 86, 87, 88; and those portions of census tracts as follows: that portion of tract 3.01 east of 39th Ave., consisting of blocks 101, 102, 103, 104, 105, 112, 113, 126, 127, 201, 204, 205, 206, 207, 208, 209, 210, 211, 212, 218, 242, and 243; that portion of tract 3.02 east of 39th Ave. and north of the Portland Traction R.R. right-of-way (40 Mile Loop Trail), consisting of blocks 407, 408, and 409, and block groups 1, 2, and 3 (except that portion of block 327 south of the Portland Traction R.R. right-of-way); that portion of tract 79 south of Sandy Blvd., consisting of blocks 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125 and 126, and block group 2; and, that portion of tract 89 generally west of 136th Ave., Foster Rd., 134th Ave., and Deardorff Rd., consisting of block groups 2, 3, and 4.

- (4) Position No. 4 shall be occupied by that commissioner elected from or appointed to the East District, the boundaries of which are as follows:

Bounded on the north by the Washington State line and the Columbia River; bounded on the east by Hood River County; bounded on the south by Clackamas County; and bounded on the west as follows: beginning at the intersection of the clackamas County line and Deardorff Rd., north on Deardorff Rd. to 134th Ave., north on 134th Ave. to Foster Rd., east on Foster Rd. to 136th Ave., north on 136th Ave. to the Portland Traction R.R. right-of-way (40 Mile Loop Trail), west on the Portland Traction R.R. right-of-way to 122nd Ave., north on 122nd Ave. to 121st Pl., north on 121st Pl. to Sandy Blvd., west on Sandy Blvd. to I-205, north on I-205 to the south channel of the Columbia River, northwest on the south channel of the Columbia River to the Wash-

ington State line at a point west of Government Island. This district consists of the following census tracts, block groups, and blocks:

All of census tracts 90, 91, 92.01, 92.02, 93, 94, 95, 96.01, 96.02, 97.01, 97.02, 98.01, 98.02, 99.01, 99.02, 99.03, 100, 101, 102, 103.01, 103.02, 104.02, 104.04, 104.05, 104.06, 104.07, and 105; and those portions of census tracts as follows: that portion of tract 73 east of I-205, consisting of block 1; that portion of tract 77 east of I-205, consisting of blocks 101, 129, 130, and that portion of block 102 east of I-205; that portion of tract 79 north of Sandy Blvd., consisting of blocks 101, 102, 103, and 108; and that portion of tract 89 generally east of 136th Ave., Foster Rd., 134th Ave., and Deardorff Rd., consisting of block group 1.

[Amendment proposed by initiative petition filed March 30, 1976, adopted by people Nov. 2, 1976; amendment proposed by initiative petition filed April 22, 1977, adopted by people Nov. 8, 1977; amendment proposed by Ord. 170 § 4 (1978), adopted by people Nov. 7, 1978; amendment passed by board of commissioners, Ord. 272 § 1, May 7, 1981; amendment proposed by Ord. 427 § 2 (1984) (measure 1) (ballot measure 10), adopted by people Nov. 6, 1984; Ord. 694 § 3 (1991)]

Note—The effective date of section 3.10, as amended by Ord. 427, is Jan. 1, 1987.

3.11. Transition.

This measure shall take effect January 1, 1987; provided, however, that it shall take effect January 1, 1986 for the purpose of electing the chair of the board and, if required, commissioners. Incumbent commissioners, otherwise qualified and eligible for holding office, may continue to hold the office for the term to which elected or appointed.

[Amendment proposed by Ord. 427 § 2 (1984) (measure 1) (ballot measure 10), adopted by people Nov. 7, 1984]

3.15. Apportionment of commissioner districts.

Not later than August 1 in the year of the official release of each federal decennial census for

Multnomah County, the auditor shall determine the population distribution among the commissioner districts specified by this charter. If the population of any commissioner district is more than 115 percent of the population of any other commissioner district, the auditor, in consultation with the Multnomah County elections division, shall prepare and present to the board of county commissioners not later than August 1, a plan for modifying the boundaries of the districts so that the population of no commissioner district will be more than 110 percent of the population of any other commissioner district, notwithstanding the delineation of commissioner districts by this charter. The board of county commissioners shall, within 45 days of the submission of the report, alter the boundaries of the commissioner districts as necessary by ordinance to provide for an approximately equal population distribution. Change in boundaries of the districts shall not affect taking of office of a commissioner-elect with respect to the term of office for which elected prior to the

adoption of the reapportionment. The auditor shall, as nearly as possible, retain the general geographic characteristics of districts established by this charter.

[Amendment proposed by Ord. 170 § 4 (1978), adopted by people Nov. 7, 1978; amendment proposed by Ord. 427 § 2 (1984) (measure 2) (ballot measure 11), adopted by people Nov. 6, 1984]

3.20. Election.

Except as this charter provides to the contrary,

- (1) Each member of the board shall be nominated and elected from a district, by position;
- (2) Commissioner terms shall be four years; and
- (3) At each election, of the candidates for position on the board, the one who receives the highest number of votes cast for any candidate for that position shall be the one elected or nominated to it.

[Amendment proposed by initiative petition filed March 30, 1976, adopted by people Nov. 2, 1976; amendment proposed by initiative petition filed April 22, 1977, adopted by people Nov. 8, 1977; amendment proposed by Ord. 170 § 4 (1978), adopted by people Nov. 7, 1978]

3.30. Quorum.

A majority of the board shall constitute a quorum for the transaction of board business, but a lesser number may meet and, in a manner prescribed by the rules of the board, compel the attendance of absent members.

3.40. Concurrence required for action.

Except as this charter provides to the contrary, the board may act at a meeting only with the affirmative concurrence of a majority of its members.

[Amendment proposed by Ord. 170 § 4 (1978), adopted by people Nov. 7, 1978; amendment proposed by Ord. 427 § 2 (1984) (measure 18) (ballot measure 27), adopted by people Nov. 6, 1984]

3.50. Meetings.

(1) The board shall adopt and publish rules for the conduct of its meetings and shall conduct the meetings in accordance with the rules.

(2) The board shall schedule its regular meetings in accordance with the rules.

(3) The presiding officer or three other board members may call special meetings of the board, provided each board member not issuing the call is sent notice of the call in accordance with the board's rules. No board action at a special meeting, except adoption of an emergency ordinance, shall have effect after the next regular board meeting unless ratified at the meeting.

(4) Notice of the time and place of a board meeting, including an agenda of all actions to be considered at the meeting, shall be posted in a conspicuous place in the county courthouse

- (a) At least 72 hours immediately preceding the meeting, in case of a regular meeting; and
- (b) At least 24 hours immediately preceding the meeting, in case of a special meeting.

Copies of the notice shall be available at the courthouse to interested persons throughout the time that the notice is required to be posted. The board may, however, take action on an item not on the agenda if the board deems that an emergency requires the action and if all the members of the board who are present affirmatively concur in the action.

(5) [The] board shall keep a journal of its proceedings. The journal shall be accessible to the public during regular office hours.

[Amendment proposed by Ord. 170 § 4 (1978), adopted by people Nov. 7, 1978]

3.60. Presiding officer.

At its first meeting after the effective date of this section and at the first meeting of each calendar year thereafter, the board shall choose a vice-presiding officer from its members. The chair of the board of county commissioners shall preside at board meetings. The vice-presiding officer shall preside whenever the chair of the board of

commissioners is absent or is incapacitated from serving.

[Amendment proposed by Ord. 170 § 4 (1978), adopted by people Nov. 7, 1978; amendment proposed by Ord. 427 § 2 (1984) (measure 1) (ballot measure 10), adopted by people Nov. 6, 1984]

3.70. Advisory boards and commissions.

(1) The board may by ordinance create such advisory county boards and commissions as in its judgment the interests of the county require.

(2) Members of the boards and commissions shall be appointed by the chair of the board of commissioners with the approval of the board.

[Amendment proposed by Ord. 170 § 4 (1978), adopted by people Nov. 7, 1978; amended by Ord. 427 § 2 (1984) (measure 1) (ballot measure 10), adopted by people Nov. 6, 1984]

3.75. Citizen involvement.

(1) The office of citizen involvement is hereby established. The office of citizen involvement shall develop and maintain citizen involvement programs and procedures designed for the purpose of facilitating direct communication between the citizens and the board of county commissioners.

(2) A citizens' committee and the structure of the citizen involvement process shall be established by ordinance.

(3) The board of county commissioners shall appropriate sufficient funds for the operation of the office and the committee.

(4) The citizens' committee shall have the authority to hire and fire its staff.

[Amendment proposed by Ord. 427 § 2 (1984) (measure 16) (ballot measure 25), adopted by people Nov. 6, 1984]

3.80. Board members and administrative personnel.

[Repeal proposed by Ord. 170 § 4 (1978), adopted by people Nov. 7, 1978]

CHAPTER IV. COUNTY OFFICERS IN GENERAL

4.10. Qualifications.

(1) An elective officer of the county shall have been a qualified elector of the county for a year and a half immediately before becoming such an officer and, if a candidate for, or appointee to, a county commissioner position, then a resident of the district for a year and a half immediately before becoming such a commissioner, except as provided in section 13.20.

(2) Before the electee or appointee to an elective office takes the office he or she shall be eligible to be bonded. The county shall maintain a corporate surety bond for the faithful performance of its employees and holders of elective office.

[Amendment proposed by Ord. 170 § 4 (1978), adopted by people Nov. 7, 1978; amendment proposed by Ord. 427 § 2 (1984) (measure 3) (ballot measure 12), adopted by people Nov. 6, 1984]

4.20. Terms of office.

Except as this charter provides to the contrary, the term of office of a person elected to an elective county office:

(1) Shall begin the first of the year immediately following his or her election to the office and

(2) Shall continue four years.

4.30. Compensation of the chair and commissioners.

The auditor shall appoint a five-member salary commission, composed of qualified people with personnel experience, by January 1, 1986, and by January 1 in each even year thereafter. The commission's salary adjustment recommendations, if any, for the chair of the board of county commissioners and the commissioners shall be submitted to the board. The board shall establish salaries for the chair and the commissioners, and such salaries shall not exceed the salaries recommended by the salary commission. All elected or appointed Multnomah County officials and employees are

prohibited from serving on the salary commission.

[Amendment proposed by initiative petition filed Oct. 8, 1981, adopted by people May 18, 1982, reaffirmed Sept. 21, 1982; amendment proposed by Ord. 427 § 2 (1984) (measure 4) (ballot measure 13), adopted by people Nov. 6, 1984; amendment proposed by Ord. 521 § 1 (1986), adopted by people Nov. 4, 1986; amendment proposed by Ord. 603 § 1 (1988), adopted by people March 28, 1989; amendment proposed by Ord. 659 § 2 (1990) (measure 4), adopted by people Nov. 6, 1990]

4.40. Vacancies—Causes.

An elective office of the county shall become vacant:

- (1) Upon the incumbent's
 - (a) Death,
 - (b) Adjudicated incompetence,
 - (c) Conviction of a felony, other offense pertinent to his or her office, or unlawful destruction of public records,
 - (d) Resignation from the office,
 - (e) Recall from the office, or
 - (f) Ceasing to reside within Multnomah County, or inability to obtain a corporate surety bond as required by section 4.10(2).
- (2) Upon the failure of the person elected or appointed to the office to qualify for it within ten days after the time for his or her term of office to commence; or
- (3) In the case of a member of the board of county commissioners, upon his or her absence
 - (a) From the county for 30 consecutive days without the consent of the board or
 - (b) From board meetings for 60 consecutive days without like consent.
- (4) In the case of the chair of the board of commissioners, upon his or her absence from the county for 30 consecutive days without the consent of the board.

[Amendment proposed by Ord. 170 § 4 (1978), adopted by people Nov. 7, 1978; amendment pro-

posed by Ord. 427 § 2 (1984) (measure 1) (ballot measure 10), adopted by people Nov. 6, 1984]

4.50. Vacancies—Filling.

(1) If a vacancy occurs in an elective office of the county and the term of office expires:

- (a) One year or more after the vacancy occurs, then a person shall be elected at the next available election date to fill the vacancy for the remainder of the term of office. If no candidate receives a majority of votes cast at that election, the board of county commissioners shall call for a special election in which the names of the two candidates receiving the highest number of votes shall appear on the ballot. The candidate receiving a majority of votes cast will be deemed elected to fill the balance of the unexpired term. The board of county commissioners shall by ordinance prescribe procedures for nominating and electing persons to fill vacancies under this subsection.
- (b) Less than one year but 90 days or more after the vacancy occurs, then the board of county commissioners shall appoint a person to fill the vacancy for the remainder of the term of office.
- (c) Less than 90 days after the vacancy occurs, the vacancy shall not be filled.

(2) For purposes of this section 4.50, "term of office" means the term of office of the last person elected to the office which is vacant.

(3) In the event of a vacancy in the office of chair, sheriff or auditor, the board shall by ordinance prescribe procedures to designate an interim occupant of the office. The person so designated shall serve as acting chair, sheriff or auditor, as the case may be, until the office is filled by election or appointment, as appropriate under section 4.50(1).

[Amendment proposed by initiative petition filed March 30, 1976, adopted by people Nov. 2, 1976; amendment proposed by initiative petition filed April 22, 1977, adopted by people Nov. 8, 1977; amendment proposed by Ord. 170 § 4 (1978), adopted by people Nov. 7, 1978; amendment proposed by Ord. 427 § 2 (1984) (measure 5) (ballot

measure 14), adopted by people Nov. 6, 1984; amendment proposed by Ord. 604 § 1 (1988), adopted by people March 28, 1989]

CHAPTER V. ORDINANCES

5.10. Legislative action.

All legislative action by the county shall be by ordinance.

5.20. Ordaining clause.

The ordaining clause for an ordinance of the county shall be, "Multnomah County ordains as follows."

5.30. Adoption.

(1) Except as this charter provides to the contrary with reference to emergency ordinances, before an ordinance is adopted it shall be read during regular meetings of the board on two different days at least six days apart.

(2) The reading of an ordinance shall be full and distinct unless

- (a) A copy of it is available for each person at the meeting who desires a copy and
- (b) The board directs that the reading be by title only.

(3) An ordinance to meet an emergency may be introduced, read once, and put on its final passage at a single board meeting by unanimous consent of all the board members present.

5.40. Authentication.

An ordinance adopted by the board shall, within three days of its adoption, be signed by the chair of the board of commissioners or the county commissioner who presided at the meeting at which the ordinance was approved.

[Amendment proposed by Ord. 170 § 4 (1978), adopted by people Nov. 7, 1978; amendment proposed by Ord. 427 § 2 (1984) (measure 1) (ballot measure 10), adopted by people Nov. 6, 1984]

5.50. Time of effect.

(1) A nonemergency ordinance shall take effect on the 30th day after it is signed by the chair of the board of commissioners unless

- (a) It prescribes a later date for it to take effect or
- (b) It is referred to the voters of the county, in which event it shall take effect only upon receiving their approval.

(2) An emergency ordinance may take effect immediately upon being signed by the chair of the board of commissioners.

[Amendment proposed by Ord. 170 § 4 (1978), adopted by people Nov. 7, 1978; amendment proposed by Ord. 427 § 2 (1984) (measure 1) (ballot measure 10), adopted by people Nov. 6, 1984]

CHAPTER VI. ADMINISTRATION

6.10. Chair of the board.

The chair of the board of county commissioners:

- (1) Shall be the chief executive officer and personnel officer of the county;
- (2) Shall preside over meetings of the board and have a vote on each matter before the board;
- (3) Shall have sole authority to appoint, order, direct and discharge administrative officers and employees of the county, except for the personal staff, employees or agents of elective county offices. Appointment of department heads shall be subject to consent of a majority of the board of commissioners;
- (4) Shall execute the policies of the board and the ordinances of the county;
- (5) Shall sign all contracts, bonds and other instruments requiring county consent;
- (6) Shall prepare the county budget for submission to the board; and
- (7) May delegate his or her administrative powers but shall retain full responsibility for the acts of his or her subordinates.

- (8) The chair of the board of commissioners shall perform all functions assigned in this charter to the county executive. The chair shall receive the same salary as the county executive unless changed in accordance with section 4.30 of this charter. This charter may be restated by the office of county counsel to replace all references to the county executive with references to the chair of the board of commissioners.

[Amendment proposed by Ord. 170 § 4 (1978), adopted by people Nov. 7, 1978; amendment proposed by Ord. 245 § 4 (1980), adopted by people Nov. 4, 1980; amendment proposed by Ord. 427 § 2 (1984) (measure 1) (ballot measure 10), adopted by people Nov. 6, 1984; amendment proposed by Ord. 522 § 1 (1986), adopted by people Nov. 4, 1986]

6.20. Administrative departments and functions.

(1) For purposes of county services and the administration of county affairs, the board of county commissioners shall establish administrative departments.

(2) The board of county commissioners may establish, alter and abolish administrative departments as provided in this section. All administrative departments in existence on January 1, 1985 shall continue until altered or abolished in accordance with this section.

(3) The board of county commissioners

- (a) Shall prescribe the functions of each administrative department of the county and
- (b) May change the functions of any of the departments from time to time.

(4) With the affirmative concurrence of four or more commissioners, the board of county commissioners may

- (a) Establish additional administrative departments,
- (b) Abolish any department,
- (c) Combine two or more departments into one, and

(d) Separate departments so combined.
[Amendment proposed by Ord. 427 § 2 (1984) (measure 6) (ballot measure 15), adopted by people Nov. 6, 1984]

6.30. Departmental functions.

[Combined with 6.20, Ord. 427 § 2 (measure 6) (ballot measure 15), adopted by people Nov. 6, 1984]

6.40. Departmental changes.

[Combined with 6.20, Ord. 427 § 2 (measure 1) (ballot measure 15), adopted by people Nov. 6, 1984]

6.50. Sheriff; paid lobbyist; successive terms, running for office in mid-term].

The people of Multnomah County shall elect:

- (1) A county sheriff for the function of said office as prescribed by state law and he or she shall have sole administration of all county jails and correctional institutions located in Multnomah County.

(a) Notwithstanding any other charter provision to the contrary, the salary for the sheriff shall be fixed by the board of county commissioners in an amount which is not less than that for any member of the sheriff's office.

- (2) [Amendment proposed by Ord. 427 § 2 (1984) (measure 8) (ballot measure 17) deleted elected county clerk (measure 7) (ballot measure 16) deleted elected district court clerk, and (measure 9) (ballot measure 18) deleted elected county assessor, adopted by people Nov. 6, 1984]

- (3) Multnomah County shall not employ or hire a paid lobbyist.

- (4) Effective January 1, 1985, no incumbent or future elected officer of the county shall be eligible to serve more than two full consecutive four-year terms in any one elective county office within any 12-year period. If an officer of the county is elected or appointed to an elective county office for a term of less than four years, the time so

served shall not be counted against the limitation on terms within any 12-year period.

- (5) No elected official of Multnomah County may run for another office in mid-term. Filing for another office in mid-term shall be the same as a resignation, effective as of date of filing. "Mid-term" does not include the final year of an elected official's term. Filing for another office in the last year of an elective term shall not constitute a resignation.

[Amendment proposed by initiative petition, filed Oct. 8, 1981, adopted by people May 18, 1982, reaffirmed Sept. 2, 1982; amendment proposed by Ord. 427 § 2 (1984) (measures 7, 8, 9, 10, 11) (ballot measures 16, 17, 18, 19, 20), adopted by people Nov. 6, 1984; amendment proposed by Ord. 500 (1986), adopted by people May 21, 1986; amendment proposed by Ord. 659 § 2 (1990) (measure 3), adopted by people Nov. 6, 1990]

CHAPTER VII. PERSONNEL

7.10. Classified service.

The classified service of the county shall consist of all positions in the government of the county except those of

- (1) Elective officers,
 - (2) Their personal assistants and secretaries,
 - (3) Department heads,
 - (4) The county manager, and
 - (5) Employees excluded by county ordinance.
- [Amendment proposed by Ord. 245 § 4 (1980), adopted by people Nov. 4, 1980; amendment proposed by Ord. 659 § 2 (1990) (measure 1), adopted by people Nov. 6, 1990]

7.20. Civil service commission.

- (1) There shall be a civil service commission consisting of three members appointed by a board of county commissioners.

- (2) The term of office of each member of the commission shall be six years. Every two years the term of one member of the commission shall expire.

- (3) Each member of the commission shall be

- (a) A citizen of the United States and
 - (b) A qualified elector of the county.

- (4) No member of the commission shall receive compensation for his or her services as such.

- (5) The commission shall

- (a) Make recommendations to the board regarding the personnel policy of the county and
 - (b) Hear appeals from such persons in the classified service in such cases as the board shall by ordinance determine.

- (6) An appellate decision by the commission may not be appealed further if unanimous. If not unanimous, it may be further appealed to the board of county commissioners and the courts. [Amendment proposed by Ord. 245 § 4 (1980), adopted by people Nov. 4, 1980]

7.30. Civil service system.

The board of county commissioners shall, by ordinance and on the basis of recommendations by the civil service commission, prescribe the details of a civil service system for persons in the classified service of the county.

[Amendment proposed by Ord. 245 § 4 (1980), adopted by people Nov. 4, 1980]

7.40. Rights and duties of personnel.

- (1) The status of persons in the classified service shall, within the limitations of this charter,

- (a) Be based on merit and fitness; and
 - (b) Be governed by the civil service ordinance and rules promulgated thereunder.

- (2) No employee shall be refused employment or be discriminated against in any manner contrary to state law.

(3) Persons in the classified service shall be subject to the restrictions in the laws of the state concerning political activities of persons in county civil service.

(4) References to the masculine gender in this chapter shall refer to the masculine, feminine, neuter, or applicable noun, or appropriate combination thereof, where appropriate.

[Amendment proposed by Ord. 170 § 5 (1978), adopted by people Nov. 7, 1978; amendment proposed by Ord. 245 § 4 (1980), adopted by people Nov. 4, 1980]

7.50. Retirement.

The board of county commissioners shall provide a retirement system for all persons in the county service who desire retirement benefits in return for their services to the county. The system shall afford them rights at least the equivalent of the rights that they have under the retirement system applicable to them under state law as it applies immediately before this charter takes effect.

CHAPTER VIII. FINANCE

8.10. Auditor.

(1) The office of county auditor is hereby established.

(2) At the general November election in 1966 and at the general November election every four years thereafter an auditor shall be elected. A candidate for auditor shall be a certified public accountant or certified internal auditor as of the date of filing for office, subject to the following provision. For the 1990 elections only, if a person is not a certified public accountant or certified internal auditor at the time of filing for office, the person elected or appointed to the office must obtain such certification not later than one year after taking office. The office of auditor shall become vacant when the person serving as auditor ceases to be certified. Effective upon certification, the salary for the auditor shall be four-fifths of a district court judge's salary.

(3) The auditor shall conduct internal audits of all county operations and financial affairs and make reports thereof to the board of county commissioners according to generally accepted government auditing standards.

The chair of the board of commissioners or the responsible elected official shall respond in writing to all internal audit reports stating what actions have been or will be taken to address the findings contained in the audit. The written response shall be made to the board and the auditor in the manner and time frame requested by the auditor.

(4) The board shall retain each report of the auditor and each response as a public record for at least three years after receiving the report and response.

[Amendment proposed by Ord. 427 § 2 (1984) (measure 12) (ballot measure 21), adopted by people Nov. 6, 1984; amendment proposed by Ord. 603 § 1 (1988), adopted by people March 28, 1989]

8.20. Bonded indebtedness.

(1) The board of county commissioners may issue and sell general obligation bonds only in accordance with state law.

(2) The board may issue and sell revenue bonds only in accordance with state law.

[Amendment proposed by Ord. 427 § 2 (1984) (measure 13) (ballot measure 22), adopted by people Nov. 6, 1984]

CHAPTER IX. SERVICE DISTRICTS

9.10. Authorization.

Subject to the limitations of this chapter, the board of county commissioners may provide through county service districts, for the special benefit of persons and property there,

- (1) Public water supply,
- (2) Public fire protection, and
- (3) Any service that the county may provide through such a district by authority of state law.

9.20. Limitation.

The county

- (1) May provide sanitary service only through county service districts and
- (2) May not provide water or fire protection to the public in territory where that service is furnished by a city or a special district.

9.30. State law.

The procedure for establishing, operating and dissolving a county service district and for changing its boundaries shall be the procedure prescribed for such action by state law.

CHAPTER X. PUBLIC IMPROVEMENTS**10.10. Exception.**

In this chapter the term "public improvement" does not include public improvements of a county service district.

10.20. Procedure.

Subject to the requirements of this chapter, the procedure for making, altering, vacating, or abandoning a public improvement of the county shall be governed by state law and, to the extent not so governed, by ordinances of the county.

10.30. Financing.

(1) To the extent that the board of county commissioners finds that a public improvement of the county is a local improvement that specially benefits property, the cost of the improvement shall be defrayed by special assessments levied on the property specially benefited by the improvement.

(2) To the extent that the board finds that a public improvement of the county benefits the county generally, the cost of the improvement may be defrayed by revenue from other county sources.

(3) An order regarding such an improvement shall indicate the extent to which the cost of the action thus ordered is to be defrayed by special assessments on property specially benefited by the

action and the extent to which the cost is to be defrayed by revenue from other sources.

10.40. Referendum.

Action by the board regarding a public improvement of the county shall be subject to the referendum in the same manner as legislative ordinances of the county.

10.50. Remonstrance.

Action by the board on a proposed public improvement

- (1) To be financed in whole or in part by special assessments and
- (2) Not declared by all members of the board to be needed at once to meet an emergency

shall be suspended for six months upon remonstrance thereto by the owners of two-thirds of the land to be specially assessed for the improvement, provided written notice of the remonstrance is delivered to the board within 15 days after the action is ordered. After the suspension the board may proceed with the action.

CHAPTER XI. ELECTIONS**11.10. Nomination and election of officers.**

Except as this charter provides to the contrary, the manner of nominating and electing county officers shall be the manner prescribed by state law for the nomination and election of county officers in general.

11.15. Nonpartisan offices.

(1) All elective county offices shall be nonpartisan.

(2) The manner of nominating and electing officers shall be the same as that established by state law for nominating and electing circuit court judges, except as this charter provides to the contrary.

(3) Petitions or declarations of candidacy shall contain no reference to any political party ballot or to the political party affiliation of the candidate.

(4) The names of all candidates shall appear on the primary election ballot. If a candidate receives a majority of the votes cast for a position at the primary election; the candidate shall be elected to the position. If no candidate for a position at a primary election receives a majority of the votes cast for the position, the two candidates receiving the highest number of votes shall be declared nominees and their names shall appear on the general election ballot.

(5) If a candidate dies, withdraws, or becomes otherwise ineligible on or after the primary election date, candidates for the office shall be nominated by petition or assembly in the manner provided by state law for the nomination of independent candidates.

[Amendment proposed by Ord. 170 § 7 (1978), adopted by people Nov. 7, 1978; amendment proposed by Ord. 427 § 2 (1984) (measures 2, 14) (ballot measures 11, 23), adopted by people Nov. 6, 1984]

11.20. Tie votes.

In the event of a tie vote for candidates for an elective office of the county, the successful candidate shall be determined by a public drawing of lots in a manner prescribed by the board of county commissioners.

11.30. Initiative and referendum.

(1) Except as this charter or the ordinances of the county provide to the contrary, the voters of the county may exercise the initiative and referendum with reference to county propositions in the manner prescribed by state law.

(2) In no event may more than ten percent of the legal voters of the county be required to order the referendum or more than 15 percent be required to propose a measure by the initiative.

11.40. Recall.

An elective officer of the county may be recalled in the manner and with the effect prescribed by state law.

11.50. Charter amendment and repeal.

(1) This charter may be amended or repealed by the voters of the county at

- (a) A regular election or
- (b) A special election called by the board of county commissioners.

(2) An initiative petition to submit a charter amendment or repeal to the voters shall be filed with the elections division at least 90 days before the election at which the measure is to come before the voters.

(3) An ordinance to refer a charter amendment or repeal to the voters shall be enacted at least 60 days before the election at which the measure is to come before the voters.

[Amendment proposed by Ord. 427 § 2 (1984) (measure 6) (ballot measure 15), adopted by people Nov. 6, 1984]

CHAPTER XII. MISCELLANEOUS

12.10. Existing legislation.

All legislation, rules, and regulations of the county or its governmental instrumentalities that are consistent with this charter and in force when it takes effect shall remain in effect until amended or repealed.

12.20. Separability.

(1) If any provision of this charter is held invalid, the other provisions of the charter shall not be affected thereby.

(2) If the application of the charter or any of its provisions to any person or circumstance is held invalid, the application of the charter or provision to other persons or circumstances shall not be affected thereby.

12.30. Charter review committee.

There shall be convened a charter review committee for the purpose of making a comprehensive study of the Multnomah County home rule charter and, if the committee chooses, submitting to the people of Multnomah County amendments to the charter.

[Proposed by initiative petition filed April 22, 1977, adopted by people Nov. 8, 1977]

12.40. Appointment of committee members.

The charter review committee shall be composed as follows:

- (1) The committee shall have two electors appointed from each senatorial district having the majority of its voters within Multnomah County, and shall have one elector appointed from each senatorial district having less than a majority of its voters within Multnomah County. The committee shall choose their chairperson from among themselves and shall have authority to establish their own procedures and organization.
- (2) The state senator and the two state representatives who represent residents in each state senate district located in Multnomah County shall appoint the electors for the district. Appointees shall reside in the district and Multnomah County. If the three appointers from any senate district cannot agree upon an appointment, any two of the three appointers may make the appointment.
- (3) If two electors are appointed from a senate district, they shall not be registered in the same political party.
- (4) The following persons are not eligible for appointment to the committee: the state senators and state representatives who represent districts located in Multnomah County, the members of the Multnomah County board of county commissioners, and the chair of the board, if any, serving at the time of appointment.
- (5) Any vacancy in the committee shall be filled by the senator and representatives

from the senate district from which the previous member was appointed, using the same method as used for the original appointment.

- (6) Appointments shall be made not later than June 30, 1997.

[Proposed by initiative petition filed April 22, 1977, adopted by people Nov. 8, 1977; amendment proposed by Ord. 170 § 6 (1978), adopted by people Nov. 7, 1978; amendment proposed by Ord. 427 § 2 (1984) (measure 15) (ballot measure 24), adopted by people Nov. 6, 1984; amendment proposed by Ord. 659 § 2 (1990) (measure 5), adopted by people Nov. 6, 1990]

12.50. Scope of committee review.

(1) The committee shall commence study of the charter by all appropriate means including open hearings and meetings, the taking of testimony and interviewing witnesses.

(2) The committee shall review the county charter and any issues relating thereto.

[Proposed by initiative petition filed April 22, 1977, adopted by people Nov. 8, 1977; amendment proposed by Ord. 170 § 6 (1978), adopted by people Nov. 7, 1978; amendment proposed by Ord. 427 § 2 (1984) (measure 15) (ballot measure 24), adopted by people Nov. 6, 1984]

12.60. Report of committee.

At least 95 days prior to the primary or general election or both of 1998, the committee shall report to the people and to the board of county commissioners their findings, conclusions, and recommendations including any amendments they propose to the county charter.

[Proposed by initiative petition filed April 22, 1977, adopted by people Nov. 8, 1977; amendment proposed by Ord. 170 § 6 (1978), adopted by people Nov. 7, 1978; amendment proposed by Ord. 427 § 2 (1984) (measure 15) (ballot measure 24), adopted by people Nov. 6, 1984; amendment proposed by Ord. 659 (1990) (measure 5), adopted by people Nov. 6, 1990]

12.70. Submission of amendments to the people.

All amendments proposed by the committee shall be submitted to the people of Multnomah County at the 1998 primary or general election, or both.

[Proposed by initiative petition filed April 22, 1977, adopted by people Nov. 8, 1977; amendment proposed by Ord. 170 § 6 (1978), adopted by people Nov. 7, 1978; amendment proposed by Ord. 427 § 2 (1984) (measure 15) (ballot measure 24), adopted by people Nov. 6, 1984; amendment proposed by Ord. 659 (1990) (measure 5) adopted by people Nov. 6, 1990]

CHAPTER XIII. TRANSITION

13.10. Time of effect.

This charter shall take effect January 1, 1967, except that it shall take effect July 1, 1966, insofar as necessary for the election of a board of county commissioners and an auditor at the general November election in 1966.

13.15. Effective date of amendment.

The amendments adopted at the general election of 1978, which are incorporated herein, shall take effect July 1, 1979; provided, however, they shall take effect November 7, 1978, for the purpose of electing the county executive and commissioners and determining the position for which elected or to be elected.

[Proposed by Ord. 170 § 4 (1978), adopted by people Nov. 7, 1978]

Note—See section 3.11 for transition of measure 1 (ballot measure 10) of section 2 of Ordinance 427, adopted by people Nov. 6, 1984.

13.20. County commissioners.

(1) The commissioner elected to Position No. 1 on November 7, 1978, shall occupy the position of county executive for a term ending December 31, 1982. The county executive shall be elected at large thereafter.

(2) The commissioner occupying Position No. 2 prior to November 7, 1978, shall occupy Position No. 3 for a term ending December 31, 1980.

(3) The commissioner elected to Position No. 3 on November 7, 1978, shall occupy Position No. 4 for a term ending December 31, 1982.

(4) The commissioner occupying Position No. 4 prior to November 7, 1978, shall occupy Position No. 1 for a term ending December 31, 1980.

(5) The commissioner elected to Position No. 5 on November 7, 1978, shall occupy Position No. 2 for a term ending December 31, 1982.

(6) Position No. 5 shall be filled by a special election to be called by the board to be held no later than June 28, 1979, for a term ending December 31, 1980. Candidates shall be nominated by a petition signed by 250 or more voters within the district in the manner prescribed by the ordinance adopted by the board which calls the election.

(7) Commissioners in office on July 1, 1979, may be re-elected to the position to which they are assigned by this section in the next succeeding election without being a resident of the district which corresponds to the position number to which elected.

[Amendment proposed by Ord. 170 § 4 (1978), adopted by people Nov. 7, 1978]

Note—Section 13.20 is applicable through December 31, 1986. See section 3.10, effective January 1, 1987, for description of boundaries as of that date.

13.25. Spending limitation.

Total appropriations for the board of county commissioners and the county executive for the 1979-80 fiscal year shall not exceed the total of appropriations for the board of county commissioners and the county chairman for the 1978-79 fiscal year, and annual increases thereafter shall be only such as are necessary and consistent with economical management.

[Proposed by Ord. 170 § 4 (1978), adopted by people Nov. 7, 1978]

13.30. Auditor.

[Repealed by amendment proposed by Ord. 427 § 2 (1984) (measure 12) (ballot measure 21), adopted by people Nov. 6, 1984]

13.40. Nominating petitions.

A petition for nominating a candidate for election at the general November election in 1966 shall state that the candidate is a candidate for a political party or is a nonpartisan candidate. The ballot at the election shall indicate the party affiliation of each partisan candidate and shall identify each nonpartisan candidate as such.

13.50. Civil service commission.

This charter shall not affect the terms of office of members of the county civil service commission who are such at the time the charter is adopted.

13.60. Other officers.

(1) After January 1, 1967, and until the administrative departments that this charter establishes are set in operation, the board of county commissioners may continue in operation any office of the county that is in operation when the charter is adopted.

(2) The tenure in the service of the county of a county officer who is not mentioned in previous sections of this charter but who is in office at the time this charter is adopted shall be for such time after the effective date of the charter as the board determines.

(3) The functions of an officer thus continued in the service of the county shall be the functions of the position to which the board chairman appoints him or her.

SHARRON KELLEY
Multnomah County Commissioner
District 4



Portland Building
1120 S.W. Fifth Avenue, Suite 1500
Portland, Oregon 97204
(503) 248-5213
E-Mail: sharron.e.KELLEY@co.multnomah.or.us

December 10, 1998
Amendments to R-3

1. Add Sections 5.005(C)-(D) to the Code as follows:
 - (C) Only residents of Multnomah County shall be eligible for designation as interim Chair, Auditor or Sheriff under section 5.005.
 - (D) Only residents of the district in which a vacancy occurs shall be eligible for designation as interim Commissioner under section 5.005.

3. Add to Section 5.006 of the Code [concerning appointment by Board] as follows:

At the time of a declaration of a vacancy in the position of a commissioner elected by district, if the Board of Commissioners determines that the position may remain vacant for more than 90 days, the Board shall use the following procedures in the appointment process:

- (1) Public notice of the appointment process, the availability of application forms, and the deadline for submitting applications. Public notice shall include providing notice of the appointment process, the availability of application forms, and the deadline for submitting applications to official neighborhood organizations, cities, civic groups, a newspaper of general circulation, and other recognized groups, newspapers and circulars that serve the district in which the vacancy has occurred;
- (2) The deadline for submitting applications shall be two weeks after the declaration of vacancy, unless a separate deadline is established by the Board of Commissioners;
- (3) Only residents of the District in which the vacancy occurs shall be eligible for appointment as Commissioner.
- (4) The Board of Commissioners shall in a public meeting appoint the person to fill the vacancy from those applicants nominated and seconded for consideration by members of the Board of Commissioners. Voting shall be by written signed ballot. The Clerk of the Board shall announce the results of each ballot following the vote and shall record the result of each commissioner's ballot. An applicant who receives a majority of the votes by the remaining members of the Board shall be appointed to the

vacant position. If no applicant receives a majority vote of the Board on the first ballot, the Board shall continue to vote on the two applicants who receive the most votes until an applicant receives a majority vote of the Board.

Wpdata/resolutions/interima.doc

BOGSTAD Deborah L

From: SPONSLER Thomas
Sent: Wednesday, December 30, 1998 2:27 PM
To: KELLEY Sharron E
Cc: KINOSHITA Carol; BOGSTAD Deborah L
Subject: RE: REVISED INTERIM ORD AMENDMENTS

I am glad it is satisfactory. We will provide you with copies so you can propose the amendment at the January 7 Board meeting.

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

From: KELLEY Sharron E
Sent: Wednesday, December 30, 1998 2:26 PM
To: SPONSLER Thomas
Subject: RE: REVISED INTERIM ORD AMENDMENTS

Thanks, Tom! Looks perfect!

From: SPONSLER Thomas
Sent: Wednesday, December 30, 1998 2:11 PM
To: KELLEY Sharron E; TRACHTENBERG Robert J
Subject: REVISED INTERIM ORD AMENDMENTS

As requested I have revised the amendments to the proposed interim office ordinance. I have deleted both the 5 day filing requirement and the two period of optional Board review. As drafted, the amendments now provide for Board approval of each commissioner designation. Without Board approval another person would have to be designated. Please let me know if this version is satisfactory.
<<[File: mcc5-005amend.doc](#)>>

MEETING DATE: JAN 07 1999
AGENDA NO: R-7
ESTIMATED START TIME: 10:15

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Ordinance prescribing procedures for designation of interim person or appointment to vacant elective offices

BOARD BRIEFING: DATE REQUESTED: _____
REQUESTED BY: _____
AMOUNT OF TIME NEEDED: _____

REGULAR MEETING: DATE REQUESTED: January 7, 1999
AMOUNT OF TIME NEEDED: 10 minutes

DEPARTMENT: ND DIVISION: County Counsel
CONTACT: Thomas Sponsler TELEPHONE #: x22834
BLDG/ROOM #: 106/1530

PERSON(S) MAKING PRESENTATION: Thomas Sponsler

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

SUGGESTED AGENDA TITLE:

Continued first reading and emergency enactment of ordinance amending MCC 5.005 to prescribe procedures for designation of interim officers and appointment of officers to vacant elective offices

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____
(OR)
DEPARTMENT
MANAGER: Thomas Sponsler


BOARD OF
COUNTY COMMISSIONERS
98 DEC 30 PM 11:45
MULTNOMAH COUNTY
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ 248-3277

SUPPLEMENTAL STAFF REPORT

TO: Board of County Commissioners

FROM: Thomas Sponsler
County Counsel 

DATE: December 18, 1998

RE: Ordinance prescribing procedures for designation of interim person and appointment to vacant elective offices

1. Action Requested:

Approve continued first reading and emergency enactment of ordinance prescribing procedures for designation of interim person and appointment to vacant elective offices.

2. Background:

In 1989 the Charter was amended to allow the Board to prescribe procedures to designate an interim person to fill a vacancy in the office of Chair, Sheriff or Auditor until election or appointment. The 1997 County Charter Review Committee recommended an amendment to allow designation for any vacant elective office. The Board submitted the amendment to voters who passed measure 26-80 at the November 3, 1998, election. This ordinance implements the charter amendment and amends MCC 5.005 to provide for designation of an interim person when a county commissioner office is vacant.

3. Financial Impact:

No direct impact.

4. Legal Issues:

Complies with Charter requirement.

5. Controversial Issues:

An amendment to this ordinance was proposed on December 10, 1998, to add procedures for Board appointments to vacant elective offices with respect to public notice, application and voting. The Board continued the first reading to January 7, 1999. Section 2 of the ordinance amends MCC 5.006 to add such procedures.

6. Link to Current County Policies:

Implements Charter provision and good government benchmark.

7. Citizen Participation:

Implements charter amendment approved by voters.

8. Other Government Participation:

None.

1 BEFORE THE BOARD OF COUNTY COMMISSIONERS

2 FOR MULTNOMAH COUNTY, OREGON

3 ORDINANCE NO. _____

4
5 An ordinance amending MCC 5.005 and MCC 5.006 prescribing procedures for designation
6 of interim officers and appointment of officers for vacant elective offices, and declaring an
7 emergency.

8 (Language to be deleted is ~~stricken~~; double-underlined language is new.)

9 Multnomah County ordains as follows:

10 Section 1. MCC 5.005 is amended as follows:

11 § 5.005 DESIGNATION OF INTERIM CHAIR, AUDITOR OR SHERIFF ELECTIVE OFFICERS.

12 (A) *Purpose.*

13 (1) When a vacancy occurs in elective county offices, the Charter provides for
14 filling the vacancy by election or appointment, depending on the time remaining before
15 expiration of the affected term of office (Charter § 4.50(1)).

16 (2) ~~The Charter recognizes that the Chair, Auditor, and Sheriff perform~~
17 ~~ongoing, day-to-day administrative responsibilities that should not be interrupted. Accordingly,~~
18 ~~Charter § 4.50(3) provides that~~ in the event of a vacancy in an elective office, an interim
19 occupant of the office ~~vacancies in these offices should be filled by interim designees, who shall~~
20 ~~serve until the vacancy is filled by election or appointment. This section carries out the Charter~~
21 ~~requirement that the Board prescribe procedures to designate interim occupants of the~~ elective
22 ~~offices of the Chair, Auditor, and Sheriff. The section parallels a state law (ORS 236.220) by~~
23 ~~designating the chief deputies of the Chair, Auditor, and Sheriff as their interim successors.~~

24 (B) ~~Process for designating i~~ Interim Chair, Auditor, or Sheriff Officer Designation.

25 (1) ~~The Chair, Auditor, and Sheriff~~ County elected officials shall each
26

1 designate a ~~chief deputy for person to performance of their administrative responsibilities.~~ The
2 designation shall be in writing and filed with the ~~C~~clerk of the Board.

3 (2) ~~In the event of~~ When there is a vacancy in the office of Chair, Auditor, or
4 ~~Sheriff,~~ the designated ~~chief deputy person~~ shall serve as acting Chair, Commissioner, Auditor,
5 or Sheriff until the vacancy is filled by election or appointment, as appropriate under the Charter.

6 (3) In the event a ~~chief deputy person~~ for the ~~an elective office of Chair,~~
7 ~~Auditor, or Sheriff~~ has not been designated, or if the designated ~~chief deputy person~~ is unable to
8 immediately serve ~~due to absence or illness,~~ the Board shall promptly ~~convene and appoint a~~
9 ~~person~~ meet to fill the vacancy on an interim basis. The appointment shall be in writing and filed
10 with the clerk of the Board.

11 (4) All persons designated to fill elective offices on an interim basis shall
12 meet the charter qualifications for appointees to such offices.

13 Section 2. MCC 5.006 is amended as follows:

14 § 5.006 APPOINTMENT BY BOARD.

15 (1) ——— The Board, in filling a vacancy, may make such inquiries and interviews
16 as they consider necessary to select the appointment. The appointment shall be
17 made at a regular or special meeting of the Board.

18 (2) The Board shall use the following procedures in the appointment process:

19 (A) Public notice shall be given to appropriate neighborhood organizations,
20 cities, civic groups, a newspaper of general circulation, and other
21 recognized groups.

22 (B) A deadline shall be established for submitting applications at least two
23 weeks after such notice.

24 (C) The person to fill the vacancy shall be appointed from those applicants
25 nominated and seconded for consideration by members of the Board. The
26 clerk of the Board shall announce the results of each ballot and shall

1 record each commissioner's ballot. An applicant who receives a majority
2 of the votes by the current Board members shall be appointed to the vacant
3 position. If no applicant receives a majority vote on the first ballot, the
4 Board shall continue to vote on the two applicants who receive the most
5 votes until an applicant receives a majority vote of the Board.

6 Section 3. An emergency is declared to exist because it is necessary and in the public
7 interest that this ordinance take effect as soon as possible to implement the procedure for designation
8 of interim County Commissioner, and this ordinance shall take effect immediately upon passage by
9 the Board.

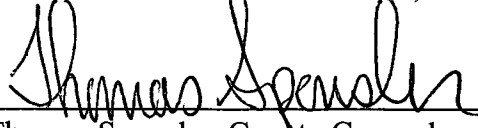
10 FIRST READING AND

11 EMERGENCY ENACTMENT:

12 _____
13
14 BOARD OF COUNTY COMMISSIONERS
15 MULTNOMAH COUNTY, OREGON

16
17 _____
18 Beverly Stein, Chair
19 Multnomah County, Oregon

20 REVIEWED:
21 COUNTY COUNSEL
22 FOR MULTNOMAH COUNTY, OREGON

23 
24 _____
25 Thomas Sponsler, County Counsel
26

PROPOSED AMENDMENT A

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

An ordinance amending MCC 5.005 and MCC 5.006 prescribing procedures for designation of interim officers and appointment of officers for vacant elective offices.

(Language deleted is ~~stricken~~; double-underlined is new, CAP IS AMENDMENTS.)

Multnomah County ordains as follows:

Section 1. MCC 5.005 is amended as follows:

§ 5.005 DESIGNATION OF INTERIM ~~CHAIR, AUDITOR OR SHERIFF~~ ELECTIVE OFFICERS.

(A) *Purpose.*

(1) When a vacancy occurs in elective county offices, the Charter provides for filling the vacancy by election or appointment, depending on the time remaining before expiration of the affected term of office (Charter § 4.50(1)).

(2) ~~The Charter recognizes that the Chair, Auditor, and Sheriff perform ongoing, day to day administrative responsibilities that should not be interrupted. Accordingly, Charter § 4.50(3) provides that in the event of a vacancy in an elective office, an interim occupant of the office vacancies in these offices should be filled by interim designees, who shall serve until the vacancy is filled by election or appointment. This section carries out the Charter requirement that the Board prescribe procedures to designate interim occupants of the elective offices of the Chair, Auditor, and Sheriff. The section parallels a state law (ORS 236.220) by designating the chief deputies of the Chair, Auditor, and Sheriff as their interim successors.~~

(B) *Process for designating Interim Chair, Auditor, or Sheriff Officer Designation.*

(1) ~~The Chair, Auditor, and Sheriff~~ County elected officials shall each designate a chief deputy for person to performance of their administrative responsibilities. The

PROPOSED AMENDMENT A

1 designation shall be in writing and filed with the Clerk of the Board. WHENEVER A
2 COMMISSIONER FILES A DESIGNATION WITH THE CLERK, THE BOARD BY
3 MAJORITY VOTE MAY APPROVE THE DESIGNATION. IF THE BOARD DOES NOT
4 APPROVE A DESIGNATION, THE DESIGNATING COMMISSIONER SHALL
5 DESIGNATE ANOTHER PERSON FOR BOARD APPROVAL.

6 (2) ~~In the event of~~ When there is a vacancy in the office of Chair, Auditor, or
7 Sheriff, the designated ~~chief deputy person~~ shall serve as acting Chair, Commissioner, Auditor,
8 or Sheriff until the vacancy is filled by election or appointment, as appropriate under the Charter.

9 (3) In the event a ~~chief deputy person~~ for the an elective office of Chair,
10 Auditor, or Sheriff has not been designated, or if the designated ~~chief deputy person~~ is unable to
11 immediately serve ~~due to absence or illness~~, the Board shall promptly ~~convene and appoint a~~
12 ~~person~~ meet to fill the vacancy on an interim basis. The appointment shall be in writing and filed
13 with the clerk of the Board.

14 (4) All persons designated to fill elective offices on an interim basis shall
15 meet the charter qualifications for appointees to such offices.

16 Section 2. MCC 5.006 is amended as follows:

17 § 5.006 APPOINTMENT BY BOARD.

18 (1) ——— The Board, in filling a vacancy, may make such inquiries and interviews
19 as they consider necessary to select the appointment. The appointment shall be
20 made at a regular or special meeting of the Board.

21 (2) The Board shall use the following procedures in the appointment process:

22 (A) Public notice shall be given to appropriate neighborhood organizations,
23 cities, civic groups, a newspaper of general circulation, and other
24 recognized groups.

25 (B) A deadline shall be established for submitting applications at least two
26 weeks after such notice.

PROPOSED AMENDMENT A

1 (C) The person to fill the vacancy shall be appointed from those applicants
2 nominated and seconded for consideration by members of the Board. The
3 Board clerk shall announce the results of each ballot and shall record each
4 commissioner's ballot. An applicant who receives a majority of the votes
5 by the current Board members shall be appointed to the vacant position. If
6 no applicant receives a majority vote on the first ballot, the Board shall
7 continue to vote on the two applicants who receive the most votes until an
8 applicant receives a majority vote of the Board.

9
10 FIRST READING: _____

11 SECOND READING AND ENACTMENT: _____

12
13 BOARD OF COUNTY COMMISSIONERS
14 MULTNOMAH COUNTY, OREGON

15
16 _____
17 Beverly Stein, Chair
18 Multnomah County, Oregon

19 REVIEWED:
20 COUNTY COUNSEL
21 FOR MULTNOMAH COUNTY, OREGON

22 Thomas Sponsler
23 Thomas Sponsler, County Counsel

4.50. Vacancies--Filling.

- (1) If a vacancy occurs in an elective office of the county and the term of office expires:
 - (a) One year or more after the vacancy occurs, then a person shall be elected at the next available election date to fill the vacancy for the remainder of the term of office. If no candidate receives a majority of votes cast at that election, the board of county commissioners shall call for a special election in which the names of the two candidates receiving the highest number of votes shall appear on the ballot. The candidate receiving a majority of votes cast will be deemed elected to fill the balance of the unexpired term. The board of county commissioners shall by ordinance prescribe procedures for nominating and electing persons to fill vacancies under this subsection.
 - (b) Less than one year but 90 days or more after the vacancy occurs, then the board of county commissioners shall appoint a person to fill the vacancy for the remainder of the term of office.
 - (c) Less than 90 days after the vacancy occurs, the vacancy shall not be filled.
- (2) For purposes of this section 4.50, "term of office" means the term of office of the last person elected to the office which is vacant.
- (3) In the event of a vacancy in an elective ~~the office of chair, sheriff or auditor,~~ the board shall by ordinance prescribe procedures to designate an interim occupant of the office. The person so designated shall serve as acting chair, commissioner, sheriff or auditor, as the case may be, until the office is filled by election or appointment, as appropriate under section 4.50(1).

PROPOSED AMENDMENT B

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON
ORDINANCE NO. _____

An ordinance amending MCC 5.005 and MCC 5.006 prescribing procedures for designation of interim officers and appointment of officers for vacant elective offices.

(Language deleted is ~~stricken~~; double-underlined is new, CAP IS AMENDMENTS.)

Multnomah County ordains as follows:

Section 1. MCC 5.005 is amended as follows:

§ 5.005 DESIGNATION OF INTERIM ~~CHAIR, AUDITOR OR SHERIFF~~ ELECTIVE OFFICERS.

(A) *Purpose.*

(1) When a vacancy occurs in elective county offices, the Charter provides for filling the vacancy by election or appointment, depending on the time remaining before expiration of the affected term of office (Charter § 4.50(1)).

(2) ~~The Charter recognizes that the Chair, Auditor, and Sheriff perform ongoing, day-to-day administrative responsibilities that should not be interrupted. Accordingly, Charter § 4.50(3) provides that in the event of a vacancy in an elective office, an interim occupant of the office vacancies in these offices should be filled by interim designees, who shall~~ serve until the vacancy is filled by election or appointment. This section carries out the Charter requirement that the Board prescribe procedures to designate interim occupants of the elective offices of the Chair, Auditor, and Sheriff. ~~The section parallels a state law (ORS 236.220) by designating the chief deputies of the Chair, Auditor, and Sheriff as their interim successors.~~

(B) *Process for designating i*Interim Chair, Auditor, or Sheriff*Officer Designation.*

(1) ~~The Chair, Auditor, and Sheriff~~ County elected officials shall each designate a ~~chief deputy for person to performance of their administrative responsibilities.~~ The

PROPOSED AMENDMENT B

1 designation shall be in writing and filed with the ~~C~~clerk of the Board. WHENEVER A
2 ~~COMMISSIONER~~ AN ELECTED OFFICIAL FILES A DESIGNATION WITH THE CLERK,
3 THE BOARD BY MAJORITY VOTE MAY APPROVE THE DESIGNATION. IF THE
4 BOARD DOES NOT APPROVE A DESIGNATION, THE DESIGNATING COMMISSIONER
5 ELECTED OFFICIAL SHALL DESIGNATE ANOTHER PERSON FOR BOARD
6 APPROVAL.

7 (2) ~~In the event of~~ When there is a vacancy in the office of Chair, Auditor, or
8 Sheriff, the designated ~~chief deputy person~~ shall serve as acting Chair, Commissioner, Auditor,
9 or Sheriff until the vacancy is filled by election or appointment, as appropriate under the Charter.

10 (3) In the event a ~~chief deputy person~~ for the an elective office of Chair,
11 Auditor, or Sheriff has not been designated, or if the designated ~~chief deputy person~~ is unable to
12 immediately serve ~~due to absence or illness~~, the Board shall promptly ~~convene and appoint a~~
13 ~~person~~ meet to fill the vacancy on an interim basis. The appointment shall be in writing and filed
14 with the clerk of the Board.

15 (4) All persons designated to fill elective offices on an interim basis shall
16 meet the charter qualifications for appointees to such offices.

17 Section 2. MCC 5.006 is amended as follows:

18 § 5.006 APPOINTMENT BY BOARD.

19 (1) ——— The Board, in filling a vacancy, may make such inquiries and interviews
20 as they consider necessary to select the appointment. The appointment shall be
21 made at a regular or special meeting of the Board.

22 (2) The Board shall use the following procedures in the appointment process:

23 (A) Public notice shall be given to appropriate neighborhood organizations,
24 cities, civic groups, a newspaper of general circulation, and other
25 recognized groups.
26

PROPOSED AMENDMENT B

(B) A deadline shall be established for submitting applications at least two weeks after such notice.

(C) The person to fill the vacancy shall be appointed from those applicants nominated and seconded for consideration by members of the Board. The Board clerk shall announce the results of each ballot and shall record each commissioner's ballot. An applicant who receives a majority of the votes by the current Board members shall be appointed to the vacant position. If no applicant receives a majority vote on the first ballot, the Board shall continue to vote on the two applicants who receive the most votes until an applicant receives a majority vote of the Board.


FIRST READING: _____

SECOND READING AND ENACTMENT: _____

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

Beverly Stein, Chair
Multnomah County, Oregon

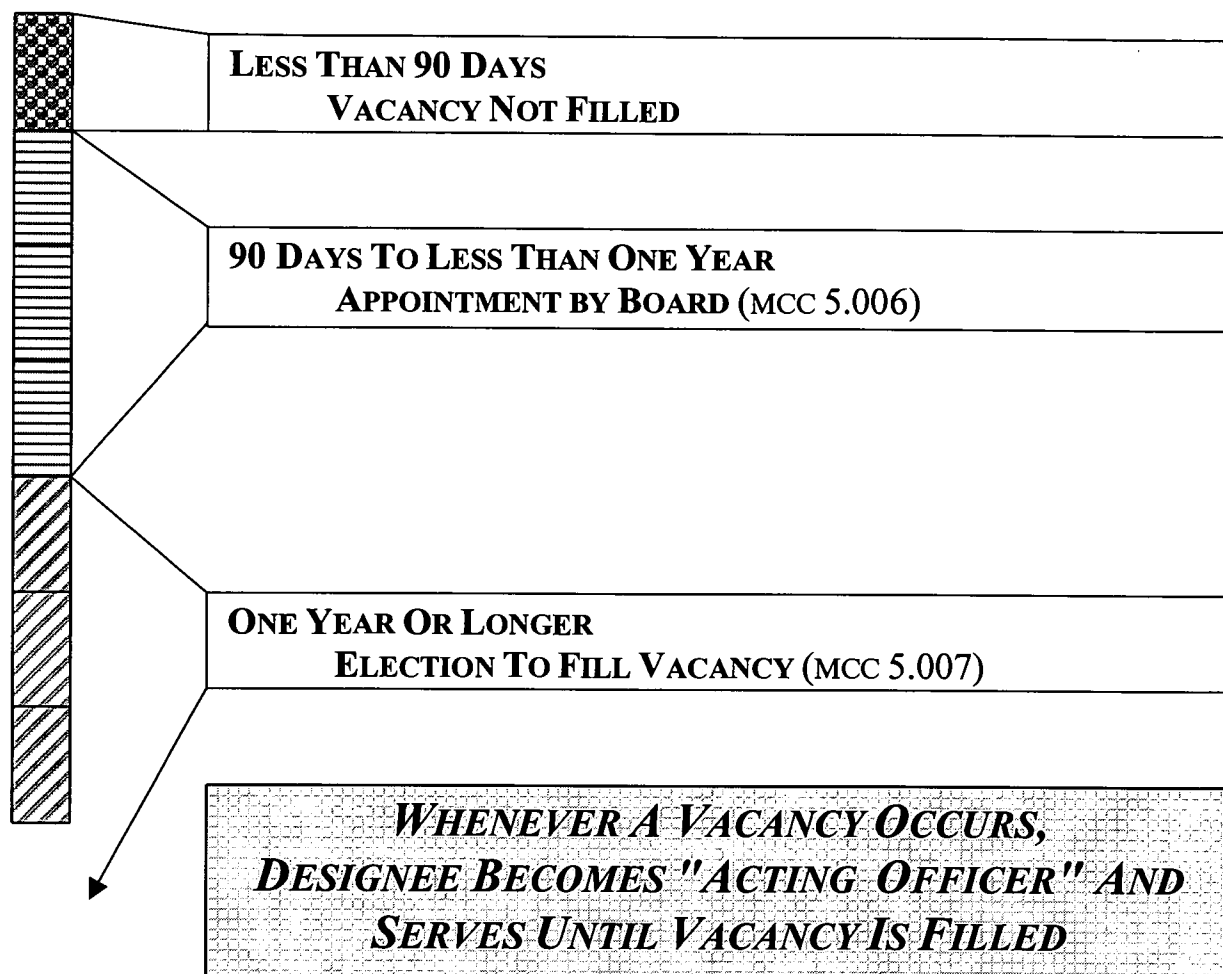
REVIEWED:
COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON



Thomas Sponsler, County Counsel

FILLING VACANCIES

(MULTNOMAH COUNTY CHARTER § 4.50)



<i>TIME UNTIL EXPIRATION OF TERM:</i>	<i>INTERIM OFFICER:</i>	<i>CHARTER § 4.50 VACANCIES - FILLING:</i>
LESS THAN 90 DAYS	ACTING OFFICER	POSITION REMAINS VACANT
90 - 364 DAYS	ACTING OFFICER	BCC APPOINTMENT
ONE YEAR OR MORE	ACTING OFFICER	ELECTION

BOGSTAD Deborah L

From: STEIN Beverly E
Sent: Tuesday, January 05, 1999 12:49 PM
To: CRUZ Serena M; LINN Diane M; NAITO Lisa H; KELLEY Sharron E
Cc: SPONSLER Thomas; FORD Carol M; BOGSTAD Deborah L
Subject: RE: another version of REVISED INTERIM ORD AMENDMENTS

I'm fine with this. I am preparing an amendment to make sure these appointments are made within 60 days of swearing in. Will someone offer it for me?

From: KELLEY Sharron E
Sent: Monday, January 04, 1999 3:59 PM
To: CRUZ Serena M; STEIN Beverly E; LINN Diane M; NAITO Lisa H
Cc: SPONSLER Thomas; BOGSTAD Deborah L
Subject: RE: another version of REVISED INTERIM ORD AMENDMENTS

Lisa has suggested extending the Board approval of the interim designations to include the Chair, Sheriff, and Auditor. I am supportive of this unless three of you object. The revised amendment would read:

designation shall be in writing and filed with the clerk of the Board. WHENEVER [A COMMISSIONER] AN ELECTED OFFICIAL FILES A DESIGNATION WITH THE CLERK, THE BOARD BY MAJORITY VOTE MAY APPROVE THE DESIGNATION. IF THE BOARD DOES NOT APPROVE A DESIGNATION, THE DESIGNATING [COMMISSIONER] ELECTED OFFICIAL SHALL DESIGNATE ANOTHER PERSON FOR BOARD APPROVAL.

From: KELLEY Sharron E
Sent: Wednesday, December 30, 1998 2:31 PM
To: CRUZ Serena M; STEIN Beverly E; LINN Diane M; NAITO Lisa H
Subject: FW: REVISED INTERIM ORD AMENDMENTS

These are the amendments I will propose at the next BCC meeting. I hope they meet with your approval. Let me know if you have any concerns.

From: SPONSLER Thomas
Sent: Wednesday, December 30, 1998 2:11 PM
To: KELLEY Sharron E; TRACHTENBERG Robert J
Subject: REVISED INTERIM ORD AMENDMENTS

As requested I have revised the amendments to the proposed interim office ordinance. I have deleted both the 5 day filing requirement and the two period of optional Board review. As drafted, the amendments now provide for Board approval of each commissioner designation. Without Board approval another person would have to be designated. Please let me know if this version is satisfactory.
<<File: mcc5-005amend.doc>>

PROPOSED AMENDMENT C

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON
ORDINANCE NO. _____

An ordinance amending MCC 5.005 and MCC 5.006 prescribing procedures for designation of interim officers and appointment of officers for vacant elective offices.

(Language deleted is ~~stricken~~; double-underlined is new, CAP IS AMENDMENTS.)

Multnomah County ordains as follows:

Section 1. MCC 5.005 is amended as follows:

§ 5.005 DESIGNATION OF INTERIM ~~CHAIR, AUDITOR OR SHERIFF~~ ELECTIVE OFFICERS.

(A) *Purpose.*

(1) When a vacancy occurs in elective county offices, the Charter provides for filling the vacancy by election or appointment, depending on the time remaining before expiration of the affected term of office (Charter § 4.50(1)).

(2) ~~The Charter recognizes that the Chair, Auditor, and Sheriff perform ongoing, day-to-day administrative responsibilities that should not be interrupted. Accordingly, Charter § 4.50(3) provides that in the event of a vacancy in an elective office, an interim occupant of the office vacancies in these offices should be filled by interim designees, who shall serve until the vacancy is filled by election or appointment. This section carries out the Charter requirement that the Board prescribe procedures to designate interim occupants of the elective offices of the Chair, Auditor, and Sheriff. The section parallels a state law (ORS 236.220) by designating the chief deputies of the Chair, Auditor, and Sheriff as their interim successors.~~

(B) *Process for designating i*Interim Chair, Auditor, or Sheriff*Officer Designation.*

(1) ~~The Chair, Auditor, and Sheriff~~ County elected officials shall each designate a ~~chief deputy for~~ person to performance of their administrative responsibilities. The

PROPOSED AMENDMENT C

1 designation shall be in writing and filed with the Clerk of the Board. IF THE BOARD DOES
2 NOT CONFIRM THE DESIGNATED PERSON BY A MAJORITY VOTE WITHIN 60 DAYS
3 OF FILING, THE DESIGNATING ELECTED OFFICIAL SHALL DESIGNATE ANOTHER
4 PERSON FOR BOARD CONFIRMATION.

5 (2) ~~In the event of~~ When there is a vacancy in the office of Chair, Auditor, or
6 Sheriff, the designated ~~chief deputy person~~ shall serve as acting Chair, Commissioner, Auditor,
7 or Sheriff until the vacancy is filled by election or appointment, as appropriate under the Charter.

8 (3) In the event a ~~chief deputy person~~ for the an elective office of Chair,
9 Auditor, or Sheriff has not been designated, or if the designated ~~chief deputy person~~ is unable to
10 immediately serve ~~due to absence or illness~~, the Board shall promptly ~~convene and appoint a~~
11 ~~person~~ meet to fill the vacancy on an interim basis. The appointment shall be in writing and filed
12 with the clerk of the Board.

13 (4) All persons designated to fill elective offices on an interim basis shall
14 meet the charter qualifications for appointees to such offices.

15 Section 2. MCC 5.006 is amended as follows:

16 § 5.006 APPOINTMENT BY BOARD.

17 (1) ——— The Board, in filling a vacancy, may make such inquiries and interviews
18 as they consider necessary to select the appointment. The appointment shall be
19 made at a regular or special meeting of the Board.

20 (2) The Board shall use the following procedures in the appointment process:

21 (A) Public notice shall be given to appropriate neighborhood organizations,
22 cities, civic groups, a newspaper of general circulation, and other
23 recognized groups.

24 (B) A deadline shall be established for submitting applications at least two
25 weeks after such notice.
26

PROPOSED AMENDMENT C

(C) The person to fill the vacancy shall be appointed from those applicants
nominated and seconded for consideration by members of the Board. The
Board clerk shall announce the results of each ballot and shall record each
commissioner's ballot. An applicant who receives a majority of the votes
by the current Board members shall be appointed to the vacant position. If
no applicant receives a majority vote on the first ballot, the Board shall
continue to vote on the two applicants who receive the most votes until an
applicant receives a majority vote of the Board.

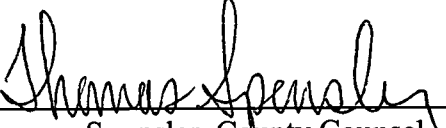
FIRST READING: _____

SECOND READING AND ENACTMENT: _____

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

Beverly Stein, Chair
Multnomah County, Oregon

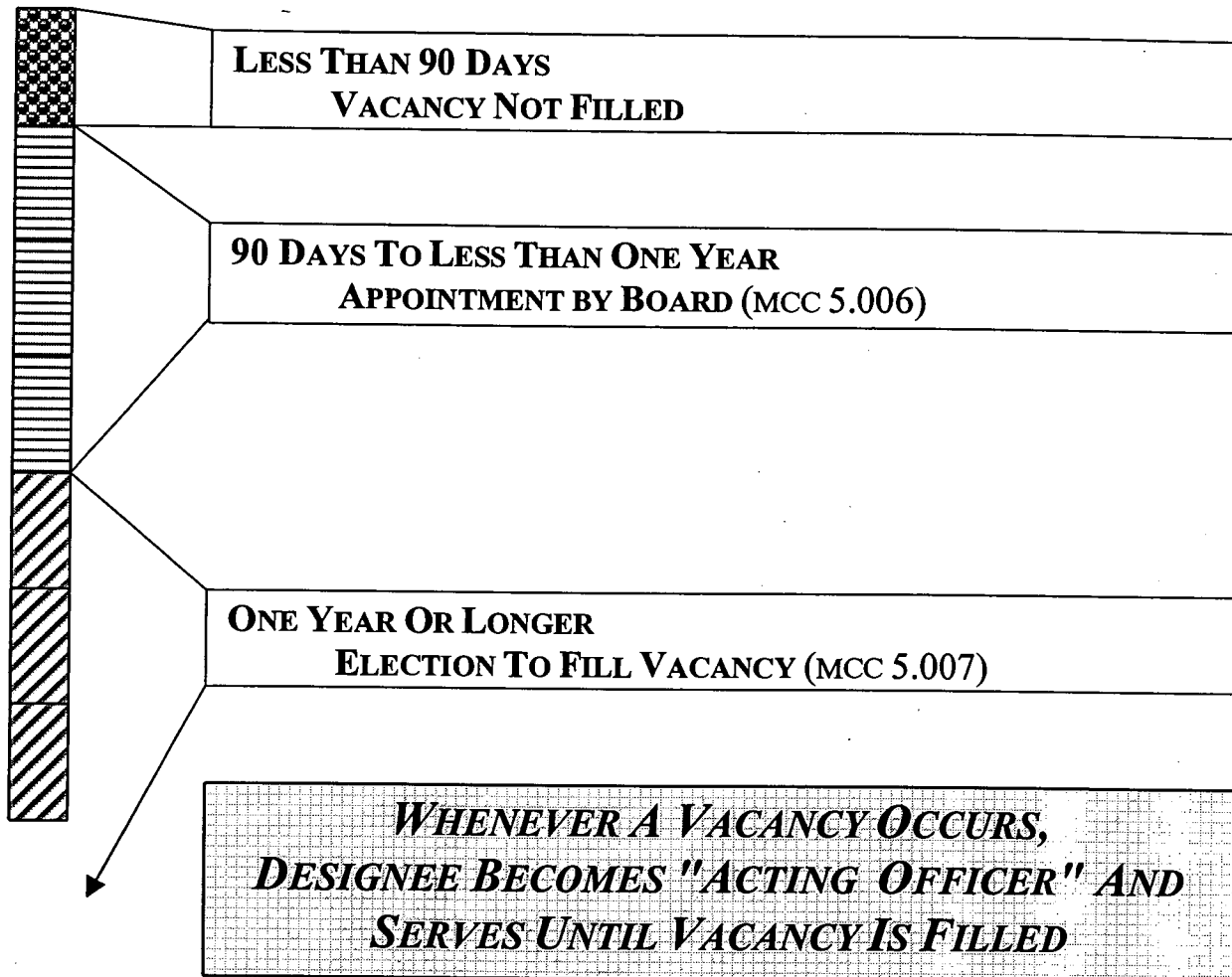
REVIEWED:
COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON



Thomas Sponsler, County Counsel

FILLING VACANCIES

(MULTNOMAH COUNTY CHARTER § 4.50)



<i>TIME UNTIL EXPIRATION OF TERM:</i>	<i>INTERIM OFFICER:</i>	<i>CHARTER § 4.50 VACANCIES - FILLING:</i>
LESS THAN 90 DAYS	ACTING OFFICER	POSITION REMAINS VACANT
90 - 364 DAYS	ACTING OFFICER	BCC APPOINTMENT
ONE YEAR OR MORE	ACTING OFFICER	ELECTION

4.50. Vacancies--Filling.

- (1) If a vacancy occurs in an elective office of the county and the term of office expires:
 - (a) One year or more after the vacancy occurs, then a person shall be elected at the next available election date to fill the vacancy for the remainder of the term of office. If no candidate receives a majority of votes cast at that election, the board of county commissioners shall call for a special election in which the names of the two candidates receiving the highest number of votes shall appear on the ballot. The candidate receiving a majority of votes cast will be deemed elected to fill the balance of the unexpired term. The board of county commissioners shall by ordinance prescribe procedures for nominating and electing persons to fill vacancies under this subsection.
 - (b) Less than one year but 90 days or more after the vacancy occurs, then the board of county commissioners shall appoint a person to fill the vacancy for the remainder of the term of office.
 - (c) Less than 90 days after the vacancy occurs, the vacancy shall not be filled.
- (2) For purposes of this section 4.50, "term of office" means the term of office of the last person elected to the office which is vacant.
- (3) In the event of a vacancy in an elective ~~the office of chair, sheriff or auditor~~, the board shall by ordinance prescribe procedures to designate an interim occupant of the office. The person so designated shall serve as acting chair, commissioner, sheriff or auditor, as the case may be, until the office is filled by election or appointment, as appropriate under section 4.50(1).