

# ANNOTATED MINUTES

Thursday, August 5, 2004 - 9:30 AM  
Multnomah Building, First Floor Commissioners Boardroom 100  
501 SE Hawthorne Boulevard, Portland

## REGULAR MEETING

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

### CONSENT CALENDAR

**UPON MOTION OF COMMISSIONER CRUZ,  
SECONDED BY COMMISSIONER ROJO, CONSENT  
CALENDAR ITEMS C-1, C-2, C-4 AND C-5 WERE  
UNANIMOUSLY APPROVED.**

### NON-DEPARTMENTAL

- C-1 Reappointment of Ken Wadsworth, EMTP, to the Transport Paramedic Position, and Dan Hull, MD, to the Emergency Physician Position, on the Multnomah County EMERGENCY MEDICAL ADVISORY BOARD
- C-2 Government Non-Expenditure Contract 0405028 with Washington County, Establishing the Multnomah-Washington Regional Investment Board

### DEPARTMENT OF COUNTY HUMAN SERVICES

- C-4 Budget Modification DCHS-02 Increasing Developmental Disabilities Services Division Budget by \$50,369 to Reflect Recent State of Oregon Funding Revisions
- C-5 Budget Modification DCHS-03 Recognizing \$150,000 United Way of Columbia -Willamette Focus Funding Grant Award for Domestic Violence Enhanced Response Team

### REGULAR AGENDA

### DEPARTMENT OF COUNTY HUMAN SERVICES

- C-3 Budget Modification DCHS-01 Reallocating Mental Health OHP Funds to Fund 5.52 FTE for the Transition Related to the Implementation of the 2003 Legislatively Approved State Children's Mental Health System Change Initiative Budget Note

**COMMISSIONER CRUZ MOVED AND COMMISSIONER ROJO SECONDED, APPROVAL OF C-3. PATRICIA PATE, WITH NANCY WILSON AND CHRIS YAGER, BEGAN AN EXPLANATION OF THE CHANGES THAT THE CHILDREN'S MENTAL HEALTH SYSTEM IS FACING AND WHY APPROVAL OF THE BUDGET MODIFICATION IS NECESSARY TODAY. COMMISSIONER CRUZ ADVISED THE CHANGES ARE SIGNIFICANT AND THAT SHE IS NOT COMFORTABLE VOTING ON THIS BUDGET MODIFICATION UNTIL AFTER A BOARD BRIEFING AND POLICY DISCUSSION IS HELD. FOLLOWING BOARD DISCUSSION WITH MS. PATE AND MS. WINTERS, STAFF WAS DIRECTED TO SCHEDULE A BOARD BRIEFING ON THE IMPLEMENTATION OF THE MENTAL HEALTH SYSTEM OF CARE FOR CHILDREN AND FAMILIES. UPON MOTION OF COMMISSIONER CRUZ, SECONDED BY COMMISSIONER ROJO, THE BUDGET MODIFICATION WAS UNANIMOUSLY CONTINUED TO THURSDAY, AUGUST 26, 2004.**

### **PUBLIC COMMENT**

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

**SANDRA MCDANIEL AND MAUREEN WRIGHT COMMENTED ON "GETTING TO YES" REGARDING A PROPOSED MONTAVILLA LIBRARY.**

### **NON-DEPARTMENTAL**

R-1 RESOLUTION Calling an Election and Approving Ballot Title and Explanatory Statement on Repealing 2004, 2005 County Income Tax for Schools and Other Services

**COMMISSIONER CRUZ MOVED AND COMMISSIONER ROJO SECONDED, APPROVAL OF R-1. AGNES SOWLE EXPLANATION. CHAIR LINN AND COMMISSIONER CRUZ COMMENTS IN SUPPORT OF THE COUNTY INCOME TAX IN ORDER TO PROVIDE STABLE FUNDING FOR THE NEXT FEW YEARS, URGING CITIZENS TO VOTE NO ON THE REPEAL. RESOLUTION 04-109 UNANIMOUSLY ADOPTED.**

**DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES**

R-2 RESOLUTION Approving a Lease of Property Located at 912 NE Kelly, Suites 260 and 264, Gresham, Oregon, from 9th & Kelly LLC, for Office and Public Service Use by the District Attorney Support Enforcement Division [Continued from July 22, 2004]

**COMMISSIONER ROJO MOVED AND COMMISSIONER ROBERTS SECONDED, APPROVAL OF R-2. DOUG BUTLER EXPLANATION AND RESPONSE TO CONCERNS OF COMMISSIONER CRUZ, ADVISING WHAT PROCESS IMPROVEMENTS HAVE BEEN MADE BY FACILITIES AND PROPERTY MANAGEMENT DIVISION TO ENSURE THAT PROPER PROCEDURES ARE FOLLOWED ON FUTURE LEASE SUBMISSIONS BROUGHT TO THE BOARD. CHAIR LINN COMMENTS IN APPRECIATION OF STAFF'S EFFORTS. RESOLUTION 04-105 UNANIMOUSLY ADOPTED.**

**DEPARTMENT OF COUNTY HUMAN SERVICES**

R-3 NOTICE OF INTENT to Apply for a Centers for Medicare and Medicaid Services and Administration on Aging Grant

**COMMISSIONER CRUZ MOVED AND COMMISSIONER ROBERTS SECONDED,**

**APPROVAL OF R-3. NOTICE OF INTENT UNANIMOUSLY APPROVED.**

**AT THE REQUEST OF CHAIR LINN AND UPON MOTION OF COMMISSIONER ROJO, SECONDED BY COMMISSIONER ROBERTS, CONSIDERATION OF THE FOLLOWING ITEM WAS UNANIMOUSLY APPROVED.**

UC-1 NOTICE OF INTENT to Partner with Washington, Clackamas, and Clark Counties in Submitting a Grant Proposal to the Access to Benefits Coalition

**COMMISSIONER ROJO MOVED AND COMMISSIONER ROBERTS SECONDED, APPROVAL OF UC-1. NOTICE OF INTENT UNANIMOUSLY APPROVED.**

**DEPARTMENT OF HEALTH**

R-4 Budget Modification HD-05-01 Approving Exempt Position Reclassification

**COMMISSIONER CRUZ MOVED AND COMMISSIONER ROJO SECONDED, APPROVAL OF R-4. WENDY LEAR EXPLANATION AND RESPONSE TO QUESTION OF CHAIR LINN. BUDGET MODIFICATION UNANIMOUSLY APPROVED.**

**DEPARTMENT OF LIBRARY SERVICES**

R-5 NOTICE OF INTENT to Apply for Library Services and Technology Act (LSTA) Grant through Oregon State Library, "Planning For a Statewide Early Literacy Initiative" Project

**COMMISSIONER ROBERTS MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF R-5. ELLEN FADER AND RENEA ARNOLD EXPLANATION AND COMMENTS IN SUPPORT. NOTICE OF INTENT UNANIMOUSLY APPROVED.**

*There being no further business, the meeting was adjourned at 10:09 a.m.*

Thursday, August 5, 2004 - 10:00 AM  
(OR IMMEDIATELY FOLLOWING REGULAR MEETING)  
Multnomah Building, First Floor Commissioners Boardroom 110  
501 SE Hawthorne Boulevard, Portland

## **EXECUTIVE SESSION**

*Chair Diane Linn convened the meeting at 10:12 a.m., with Vice-Chair Serena Cruz and Commissioners Lonnie Roberts and Maria Rojo de Steffey present, and Commissioner Lisa Naito excused.*

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

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

*There being no further business, the meeting was adjourned at 10:32 a.m.*

BOARD CLERK FOR MULTNOMAH COUNTY, OREGON

***Deborah L. Bogstad***



Multnomah County Oregon

# Board of Commissioners & Agenda

connecting citizens with information and services

## BOARD OF COMMISSIONERS

### Diane Linn, Chair

501 SE Hawthorne Boulevard, Suite 600  
Portland, Or 97214

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

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

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### Serena Cruz, Commission Dist. 2

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## AUGUST 5, 2004 - REV

## BOARD MEETING

### FASTLOOK AGENDA ITEMS OF INTEREST

Pg 2	9:30 a.m. Opportunity for Public Comment on Non-Agenda Matters
Pg 3	9:30 a.m. Resolution Calling an Election and Approving Ballot Title and Explanatory Statement on Repealing 2004, 2005 County Income Tax for Schools and Other Services
Pg 3	9:35 a.m. Resolution Approving Lease of Property Located at 912 NE Kelly, Gresham, from 9th & Kelly LLC, for Office and Public Service Use by the District Attorney Support Enforcement Division
Pg 3	9:45 a.m. Budget Modification HD-05-01 Approving Exempt Position Reclassification
Pg 3	10:00 a.m. Executive Session

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#### **NON-DEPARTMENTAL**

- C-1 Reappointment of Ken Wadsworth, EMTP, to the Transport Paramedic Position, and Dan Hull, MD, to the Emergency Physician Position, on the Multnomah County EMERGENCY MEDICAL ADVISORY BOARD
- C-2 Government Non-Expenditure Contract 0405028 with Washington County, Establishing the Multnomah-Washington Regional Investment Board

#### **DEPARTMENT OF COUNTY HUMAN SERVICES**

- C-3 Budget Modification DCHS-01 Reallocating Mental Health OHP Funds to Fund 5.52 FTE for the Transition Related to the Implementation of the 2003 Legislatively Approved State Children's Mental Health System Change Initiative Budget Note
- C-4 Budget Modification DCHS-02 Increasing Developmental Disabilities Services Division Budget by \$50,369 to Reflect Recent State of Oregon Funding Revisions
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**DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES - 9:35 AM**

R-2 RESOLUTION Approving a Lease of Property Located at 912 NE Kelly, Suites 260 and 264, Gresham, Oregon, from 9th & Kelly LLC, for Office and Public Service Use by the District Attorney Support Enforcement Division [Continued from July 22, 2004]

**DEPARTMENT OF COUNTY HUMAN SERVICES - 9:40 AM**

R-3 NOTICE OF INTENT to Apply for a Centers for Medicare and Medicaid Services and Administration on Aging Grant

UC-1 NOTICE OF INTENT to Partner with Washington, Clackamas, and Clark Counties in Submitting a Grant Proposal to the Access to Benefits Coalition

**DEPARTMENT OF HEALTH - 9:45 AM**

R-4 Budget Modification HD-05-01 Approving Exempt Position Reclassification

**DEPARTMENT OF LIBRARY SERVICES - 9:50 AM**

R-5 NOTICE OF INTENT to Apply for Library Services and Technology Act (LSTA) Grant through Oregon State Library, "Planning For a Statewide Early Literacy Initiative" Project

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Multnomah County Oregon

# Board of Commissioners & Agenda

connecting citizens with information and services

## BOARD OF COMMISSIONERS

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# MULTNOMAH COUNTY OREGON

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

LISA NAITO • DISTRICT 3 COMMISSIONER

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## MEMORANDUM

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

FROM: Carol Wessinger  
Staff to Commissioner Lisa Naito

DATE: June 23, 2004

RE: Commissioner Lisa Naito will be unable to attend the August 5, 2004 Board Meeting.

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The Commissioner will be out of town on vacation.

Thank you,  
Carol Wessinger

# AGENDA PLACEMENT REQUEST

BUD MOD #:

**Board Clerk Use Only:**

**Meeting Date:** August 5, 2004  
**Agenda Item #:** C-1  
**Est. Start Time:** 9:30 AM  
**Date Submitted:** 07/20/04

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**Requested Date:** 8/5/2004

**Time Requested:** Consent Agenda

**Department:** Non-Departmental

**Division:** Chair's Office

**Contact/s:** Chair Diane Linn, Delma Farrell

**Phone:** 503/988-3308

**Ext.:** 22092

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

**Presenters:** N/A

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**Agenda Title:** Reappointment of Ken Wadsworth, EMTP, to the Transport Paramedic position, and Dan Hull, MD, to the Emergency Physician position, on the Multnomah County Emergency Medical Advisory Board

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

- 
- 1. What action are you requesting from the Board? What is the department/agency recommendation?** Request Board approve reappointment of Ken Wadsworth, EMTP and Dan Hull, MD to the Multnomah County Emergency Medical Advisory Board.
  - 2. Please provide sufficient background information for the Board and the public to understand this issue.** The Multnomah County Emergency Medical Advisory Board (as defined by Count Code) consists of four licenses physicians interested and involved in pre-hospital emergency care, a resistered nurse specializing in emergency care, and two EMT-P paramedics. The purpose of the Emergency Medical Advisory Board is to approve proposed rules; consult with appropriate persons, departments, agencies and organizations and advise the Health Department director; review the policies and procedures of the Medical Resource Hospital(s) and report findings and recommendations to the Director. Members are appointed by the Chair, with approval by the Board of County Commissioners, to 3-year terms.
  - 3. Explain the fiscal impact (current year and ongoing).** No current year and/or ongoing fiscal impact.

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

**If a budget modification, explain:**

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

**If a contingency request, explain:**

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

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

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

4. **Explain any legal and/or policy issues involved. No legal and/or policy issues involved.**
  
5. **Explain any citizen and/or other government participation that has or will take place.**

**Required Signatures:**

**Department/Agency Director:**



**Date: 7/20/2004**

# AGENDA PLACEMENT REQUEST

**BUD MOD #:**

**Board Clerk Use Only:**

**Meeting Date: August 5, 2004**

**Agenda Item #: C-2**

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

**Date Submitted: 07/27/04**

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**Requested Date: 8/5/2004**

**Time Requested: N/A**

**Department: Non-Departmental**

**Division: Chair's Office**

**Contact/s: Lisa Goldberg**

**Phone: 503-988-4765**

**Ext.: 84765**

**I/O Address: 503/6**

**Presenters: Consent Calendar**

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**Agenda Title: Government Non-Expenditure Contract 0405028 with Washington County  
Establishing the Multnomah-Washington Regional Investment Board**

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

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- 1. What action are you requesting from the Board? What is the department/agency recommendation?** We request that the Board approve an updated Intergovernmental Agreement that describes the operation of the Multnomah-Washington Regional Investment Board.
  
- 2. Please provide sufficient background information for the Board and the public to understand this issue.** Multnomah and Washington Counties are a designated region for the purposes of the state's Regional and Rural Investment Programs. As a two-county region we are required to have an IGA that details how the two counties will cooperate in the implementation of this program through the Regional Investment Board. Although there is an existing IGA, changes in the program at the state level have prompted an updating of the IGA to better reflect the current program.
  
- 3. Explain the fiscal impact (current year and ongoing).** There is no fiscal impact to Multnomah County. The Regional and Rural Investment Funds include an allocation for administrative purposes which will offset the cost of the fiscal and administrative duties of Multnomah County as they pertain to this program.

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**If a budget modification, explain: n/a**

- ❖ **What revenue is being changed and why?**
- ❖ **What budgets are increased/decreased?**
- ❖ **What do the changes accomplish?**
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- ❖ **Is the revenue one-time-only in nature?**
- ❖ **If a grant, what period does the grant cover?**
- ❖ **When the grant expires, what are funding plans?**

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

**If a contingency request, explain: n/a**

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

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

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

4. **Explain any legal and/or policy issues involved. n/a**
5. **Explain any citizen and/or other government participation that has or will take place. Washington County is the other party to this agreement and has approved this IGA.**

**Required Signatures:**

**Department/Agency Director:**



**Date: 7/27/2004**

# MULTNOMAH COUNTY CONTRACT APPROVAL FORM

Contract #: 0405028

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

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

CLASS I	CLASS II	CLASS III A
<p>Contracts \$75,000 and less per 12 month period</p> <p><input type="checkbox"/> Professional Services Contracts</p> <p><input type="checkbox"/> PCRB Contracts</p> <p style="margin-left: 20px;"><input type="checkbox"/> Maintenance Agreements</p> <p style="margin-left: 20px;"><input type="checkbox"/> Licensing Agreements</p> <p style="margin-left: 20px;"><input type="checkbox"/> Public Works Construction Contracts</p> <p><input type="checkbox"/> Architectural &amp; Engineering Contracts</p> <p><input type="checkbox"/> Revenue Contracts</p> <p><input type="checkbox"/> Grant Contracts</p> <p><input type="checkbox"/> Non-Expenditure Contracts</p>	<p>Contracts over \$75,000 per 12 month period</p> <p><input type="checkbox"/> Professional Services Contracts</p> <p><input type="checkbox"/> PCRB Contracts</p> <p style="margin-left: 20px;"><input type="checkbox"/> Maintenance Agreements</p> <p style="margin-left: 20px;"><input type="checkbox"/> Licensing Agreements</p> <p style="margin-left: 20px;"><input type="checkbox"/> Public Works Construction Contracts</p> <p><input type="checkbox"/> Architectural &amp; Engineering Contracts</p> <p><input type="checkbox"/> Revenue Contracts</p> <p><input type="checkbox"/> Grant Contracts</p> <p><input type="checkbox"/> Non-Expenditure Contracts</p>	<p><input type="checkbox"/> Government Contracts (190 Agreement)</p> <p style="margin-left: 20px;"><input type="checkbox"/> Expenditure <input type="checkbox"/> Non-Expenditure</p> <p style="margin-left: 20px;"><input type="checkbox"/> Revenue</p> <p style="text-align: center;"><b>CLASS III B</b></p> <p><input type="checkbox"/> Government Contracts (Non-190 Agreement)</p> <p style="margin-left: 20px;"><input type="checkbox"/> Expenditure <input checked="" type="checkbox"/> Non-Expenditure</p> <p style="margin-left: 20px;"><input type="checkbox"/> Revenue</p> <p><input type="checkbox"/> Interdepartmental Contracts</p>

Department: Non-departmental Division: Chair's Office Date: 7/28/04  
 Originator: Lisa Goldberg Phone: 503-988-4765 Bldg/Rm: 503/6  
 Contact: Lisa Goldberg Phone: 503-988-4765 Bldg/Rm: 503/6

Description of Contract: Intergovernmental Agreement between Washington and Multnomah Counties Establishing Multnomah-Washington Regional Investment Board and Multnomah County as Fiscal Agent for the Program. No fiscal impact to Multnomah County.

RENEWAL:  PREVIOUS CONTRACT #(S): 500948  
 RFP/BID: IGA RFP/BID DATE: \_\_\_\_\_  
 EXEMPTION #: \_\_\_\_\_ ORS/AR #: \_\_\_\_\_  
 Effective DATE: \_\_\_\_\_ EXPIRATION DATE: \_\_\_\_\_  
 CONTRACTOR IS:  MBE  WBE  ESB  QRF State Cert# \_\_\_\_\_ or  Self Cert  Non-Profit  N/A (Check all boxes that apply)

<p>Contractor <u>Washington County</u>                  Address <u>155 North First Avenue Suite 300</u>                  City/State <u>Hillsboro, OR</u>                  ZIP Code <u>97124</u>                  Phone <u>503-846-8168</u></p> <p>Employer ID# or SS# _____                  Contract Effective Date _____                  Amendment Effect Date _____</p>	<p>Remittance address _____                  (If different) _____</p> <p>Payment Schedule / Terms</p> <p><input type="checkbox"/> Lump Sum \$ _____ <input type="checkbox"/> Due on Receipt</p> <p><input type="checkbox"/> Monthly \$ _____ <input type="checkbox"/> Net 30</p> <p><input type="checkbox"/> Other \$ _____ <input type="checkbox"/> Other</p> <p><input type="checkbox"/> Requirements Funding Info:</p>																
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; border-bottom: 1px solid black;">Original Contract Amount</td> <td style="width: 50%; border-bottom: 1px solid black;">\$ _____</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Total Amt of Previous Amendments</td> <td style="border-bottom: 1px solid black;">\$ _____</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Amount of Amendment</td> <td style="border-bottom: 1px solid black;">\$ _____</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Total Amount of Agreement</td> <td style="border-bottom: 1px solid black;">\$ _____</td> </tr> </table>	Original Contract Amount	\$ _____	Total Amt of Previous Amendments	\$ _____	Amount of Amendment	\$ _____	Total Amount of Agreement	\$ _____	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; border-bottom: 1px solid black;">Original Requirements Amount</td> <td style="width: 50%; border-bottom: 1px solid black;">\$ _____</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Total Amt of Previous Amendments</td> <td style="border-bottom: 1px solid black;">\$ _____</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Requirements Amount Amendment:</td> <td style="border-bottom: 1px solid black;">\$ _____</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Total Amount of Requirements</td> <td style="border-bottom: 1px solid black;">\$ _____</td> </tr> </table>	Original Requirements Amount	\$ _____	Total Amt of Previous Amendments	\$ _____	Requirements Amount Amendment:	\$ _____	Total Amount of Requirements	\$ _____
Original Contract Amount	\$ _____																
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Original Requirements Amount	\$ _____																
Total Amt of Previous Amendments	\$ _____																
Requirements Amount Amendment:	\$ _____																
Total Amount of Requirements	\$ _____																

**REQUIRED SIGNATURES:**

Department Manager <u><i>[Signature]</i></u>	DATE <u>7/28/04</u>
Purchasing Manager _____	DATE _____
County Attorney <u><i>[Signature]</i></u>	DATE <u>7-28-04</u>
County Chair <u><i>[Signature]</i></u>	DATE <u>8.5.04</u>
Sheriff _____	DATE _____
Contract Administration _____	DATE _____

COMMENTS:

APPROVED: MULTNOMAH COUNTY  
 BOARD OF COMMISSIONERS  
 AGENDA # C-2 DATE 8.05.04  
 DEBORAH L. BOGSTAD, BOARD CLERK

## INTERGOVERNMENTAL AGREEMENT

This Agreement is made and entered into under the authority of ORS 285B.230 to 285B.269 by and between the Counties of Multnomah and Washington (herein referred to as "the Counties").

### RECITALS

WHEREAS, in accordance with ORS 285B.236(3) the Oregon Economic and Community Development Department (the "Department") has established the geographic area encompassed by the Counties as a region (the "Region") for purposes of the Act, and

WHEREAS, the Region agrees to participate in the State of Oregon's Regional and Rural Investment Program for the purposes defined in the Regional Economic Act of 1999 and as established in OAR 123-055-0100 through 123-057-0910, and;

WHEREAS, ORS 285B.242(1) requires the Counties to designate a regional board to develop a regional investment plan for the Region in accordance with ORS 285B.239 and perform certain other duties with respect to the Region as set forth in the Act; and

WHEREAS, the Counties wish to establish and designate the regional board for the Region through this Agreement, and

WHEREAS, the Counties agree to explore and pursue if feasible, the development of a regional partnership as defined in OAR 123-055-0501 through 0525, and

WHEREAS, the Counties agree to explore and pursue if feasible, multi-region projects that meet the criteria set forth in OAR 123-057-530 and;

NOW, THEREFORE, in consideration of the mutual premises set forth herein, the parties hereto agree as follows:

### AGREEMENT

#### **1. Establishment of Regional Board**

In accordance with ORS 285B.242(1), the Counties hereby establish the Multnomah and Washington County Regional and Rural Investment Board (the "Board") as the board for the Region. The Board shall consist of six members. Each county shall appoint three (3) members of the Board.

#### **2. Board Member Term of Office**

Appointments to the Board are for two-year terms, commencing on July 1, 2004, and ending on June 30, 2006, except that terms shall be staggered by each County making one appointment for an initial 18-month term ending December 31, 2005. All subsequent appointees to the Board shall serve a term of two years from the date of appointment. Unless provided otherwise by the appointing County, appointees shall serve until a replacement is appointed. There is no limit on the number of terms that may be served.

#### **3. Board Member Removal and Resignation**

A Board member may resign at any time effective upon written notice to the appointing County at the address set forth below, or effective on such later date as may be specified in the notice. All Board members serve at the pleasure of the appointing County and the appointing County may remove its Board

members at any time effective upon written 30-day notice to the Board member at the member's address set forth in the Board's records, or effective on such later date as may be specified in the notice. No Board member may be removed from the Board except by the appointing County in accordance with this section.

#### **4. Board Vacancies**

All Board vacancies shall be filled by the County that appointed the member. Each County shall use its best efforts to fill a vacancy within thirty (30) days.

#### **5. Board Officers**

The Board shall elect a chair and vice-chair from among members. The chair and vice-chair shall serve in such capacity for one year and are eligible for re-election. The chair or, in the absence of the chair, the vice-chair shall preside over all meetings of the Board.

#### **6. Quorum and Voting**

Each Board member shall have one vote. Four (4) of the Board members shall constitute a quorum for the transaction of business. The vote of a majority of the members present at a properly noticed meeting at which there is a quorum shall be the act of the Board.

#### **7. Board Meetings**

Meetings of the Board shall be held at such place and time as may be designated from time to time by the Board or other person calling the meeting.

7.1 Regular meetings of the Board may be fixed by resolution of the Board and no notice thereof to Board members other than the existence of such resolution is required.

7.2 Special meetings of the Board may be called at any time by the chair, vice-chair or any four members. Notice of the time and place of special meetings shall be provided to each Board member not less than 24 hours prior to the commencement of the meeting.

7.3 The notice provisions of this section are not intended to alter or modify any additional or more restrictive notice requirements of the Oregon Public Meetings Law.

#### **8. Power and Authority of the Board**

The Board may, in accordance with the Act, applicable Administrative Rules and the separate fiscal entity agreement:

8.1 Develop and modify, if necessary, a proposed regional investment plan (the "Regional Investment Plan") for the Region and update the Regional Investment Plan as necessary to include a biennial implementation plan.

8.2 Update the Regional Investment Plan as necessary to include a rural action plan,

8.3 Implement the Regional Investment Plan after it has been approved by the Counties and the Governor or a regional partnership in accordance with ORS 2858.242.

8.4 Adopt policies for expenditure of regional investment fund and rural investment fund monies received by the Region from the Department under the Act ("Regional/Rural Moneys"). Such policies must be consistent with the Act, this Agreement and the approved Regional Investment Plan.

8.5 Approve expenditure of Regional/Rural Moneys, including but not limited to, expenditure of Regional/Rural Moneys on projects or activities implementing the approved Regional Investment Plan. Preference shall be given to projects that generate matching funds or in-kind support from other sources. All expenditures must be consistent with the approved Regional Investment Plan.

8.6 Adopt bylaws to govern the conduct of the Board. Bylaws must be consistent with the Act and this Agreement.

8.7 Exercise such other powers as may be vested in the Board by the Act, this Agreement or as are necessary or appropriate for the conduct of the Board's business as described in this Agreement or as required by statute or administrative rule.

## **9. Fiscal and Administrative Entity**

9.1 Multnomah County shall provide support services for the Board, including but not limited to:

- A. Secretary to the Board, including preparing and storing notices, minutes and other documents.
- B. Legal counsel, including review of documents.
- C. Financial, including receiving, accounting for and disbursing funds and providing financial information.
- D. Administration, including preparation and review of reports, applications, public information and other implementation of program requirements and Board directives.

9.2 Multnomah County shall comply with Board policies and directives, federal and state laws and regulations and generally accepted financial practices.

9.3 Multnomah County shall have all authority reasonably necessary to carry out its obligations, including contracting for and on behalf of the Board, consistent with Board direction.

9.4 For the above-described fiscal and administrative functions, Multnomah County shall assess a reasonable administrative fee. Multnomah and Washington Counties agree that such fee will be paid out of the administrative allowance from the Regional and Rural Investment Funds received.

## **10. Compliance with Applicable Law**

The Counties and the Board shall comply with all federal, state and local laws, regulations, executive orders and ordinances applicable to this Agreement and the performance of the Counties and the activities of the Board hereunder. No person shall be denied or subjected to discrimination in receipt of the benefits of any services or activities made possible by or resulting from this agreement on the grounds of race, color, religion, gender, sexual orientation, national origin, disability, age, or marital status.

## **11. Term and Termination**

11.1 This Agreement shall be in full force and effect from the Effective Date until terminated by a County in accordance with this section.

11.2 Any County may terminate this Agreement upon ninety (90) days advance written notice to the other County.

11.3 Upon receipt of notice of termination, the Board shall conduct an orderly winding-down of its affairs. Upon termination of this Agreement, the Board's existence shall cease; provided, however, that termination of this Agreement shall not affect the validity of any Board action otherwise properly taken prior to the termination of this Agreement.

## **12. Notice**

Any notice required or permitted to be given under this Agreement shall be given in writing by personal delivery, facsimile, or mailing the same, postage prepaid, to a County at the address set forth below or to a Board member at the address maintained in the Board's records for such member. Any notice so addressed and mailed shall be deemed to be given five days after mailing. Any notice delivered by facsimile shall be deemed to be given when receipt of the transmission is generated by the transmitting machine. Any notice by personal delivery shall be deemed to be given when actually delivered. A County may change its address for notices hereunder by notifying each other County in accordance with this section. A Board member may change its address for notices hereunder by notifying the appointing County in accordance with this section. The notice provisions of this section are not intended to alter or modify any additional or more restrictive notice requirements of the Oregon Public Meetings Law. The address for each County is as follows:

Washington County  
Administrative Office  
155 North First Avenue  
Suite 300  
Hillsboro, Oregon 97124

Multnomah County  
Office of the County Chair  
501 SE Hawthorne Boulevard  
Suite 600  
Portland, Oregon 97214

## **13. Severability**

If any term or provision of this Agreement is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular term or provisions held to be invalid.

## **14. Assignment and Successors and Assigns**

No County may assign or transfer any of its interest in this Agreement or delegate any of its duties under this Agreement without the prior written consent of each other County. This Agreement shall be binding upon and shall inure to the benefit of the Counties, and their respective successors and permitted assigns, if any.

**15. Integration and Amendment**

This Agreement constitutes the entire agreement of the Counties relating to the subject matter hereof. There are no promises, terms, conditions, obligations, or warranties other than those contained in this Agreement. This Agreement supersedes all prior communications, representations, or agreements, verbal or written, among Counties relating to the subject matter hereof. This Agreement may not be amended except in writing executed by the each of the Counties.

**16. Waiver**

No provision of this Agreement shall be deemed to have been waived unless such waiver is in writing signed by the waiving County. No failure by any County to insist upon the strict performance of any provision of this Agreement, or to exercise any right or remedy consequent upon a breach thereof shall constitute a waiver of any such breach of such provisions or any other provisions. No waiver of any provision of this Agreement shall be deemed a waiver of any other provision of this Agreement or a waiver of such provision with respect to any subsequent breach, unless expressly provided in writing.

**17. Governing Law**

This Agreement shall be governed by and construed in accordance with the laws of the State of Oregon.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement effective as of the last date of execution set forth below.

**Washington County**

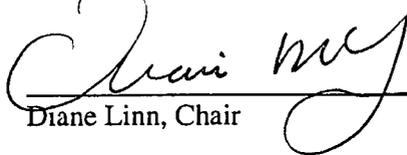
Reviewed:

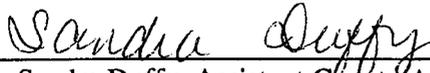
\_\_\_\_\_  
Tom Brian, Chair

\_\_\_\_\_  
Dan Olsen, County Counsel  
Of Attorneys for Washington County

**Multnomah County**

Reviewed:

  
\_\_\_\_\_  
Diane Linn, Chair

  
\_\_\_\_\_  
Sandra Duffy, Assistant County Attorney Of  
Attorneys for Multnomah County

APPROVED : MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # 6.2 DATE 08.05.04  
DEBORAH L. BOGSTAD, BOARD CLERK

# AGENDA PLACEMENT REQUEST

**BUD MOD #: DCBS-01**

**Board Clerk Use Only:**

**Meeting Date: August 5, 2004**

**Agenda Item #: C-3**

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

**Date Submitted: 07/26/04**

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**Requested Date:** August 5, 2004

**Time Requested:** N/A

**Department:** County Human Services

**Division:** Mental Health & Addiction Services

**Contact/s:** Al Stickel/Chris Yager

**Phone:** 503 988-3691 **Ext.:** 84135/26777

**I/O Address:** 166/7

**Presenters:** Consent Calendar

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**Agenda Title:** Budget Modification DCBS-01 Reallocating Mental Health OHP Funds to Fund 5.52 FTE for the Transition Related to the Implementation of the 2003 Legislatively Approved State Children's Mental Health System Change Initiative Budget Note

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

---

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

The Department of County Human Services recommends approval of budget modification DCBS-01.

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

The 2003 State Legislature directed changes to the Children's Mental Health System and DHS will begin implementing the changes effective January 1, 2005. The changes include the integration of inpatient hospital, psychiatric residential, psychiatric day treatment, and community care into "the local or regional managed care environments." For Multnomah County, this means that the resources and clients will be managed by the County's Mental Health Organization called Verity. Verity will then bear full risk for the care of several hundred children per year who are currently in Day Treatment, Residential

and certain other intensive levels of care at state expense. Approximately \$8 to \$10 million dollars in state funds will be re-allocated to the County's Mental Health and Addictions Services division on an annual basis. These are not additional revenues to the system; they are state revenues that will now be managed by the County. Some of these funds already flow through the County and will simply be reallocated. For instance, the State is ending the ITS pilot project effective Dec 31, 2004 and the \$4.2 million in annual resources are being reallocated.

This budget modification will create the infrastructure needed to manage the care of these children as Verity assumes responsibility. In particular, Verity must be able to develop effective alternatives to intensive treatment services in order to improve access to and shorten length of stay in hospital and residential care. The state funding will be able to cover the infrastructure starting January 2005.

This modification adds 5.52 FTE, consisting of 2.76 Mental Health Consultants and .92 Program Supervisor, all with in the Family Care Coordination Program. Mental Health Business Operations adds 1.84 Data Technicians. These positions are needed immediately in order to begin the process of getting children out of residential treatment. This is because the state is not transferring all of the dollars they are currently spending on Multnomah County children in residential care. Our best guess based on the current discussions regarding the state formula is we will only receive funding for an estimated 70 children and we now have roughly 100 children in residential treatment. We need to get that number equal to or below 70 by January 1<sup>st</sup> 2005. The state's goal is to finalize the formula by the end of September 04.

This Family Care Coordination Program will work closely with the Call Center and employees from other agencies, DHS Child Welfare in particular. The unit provides Care Coordination & Utilization Management for services to children and families for youths being placed outside their home for treatment reasons. This will allow Verity to manage the whole System of Care for Families with intensive treatment needs families much more effectively.

Each of the children being considered for out of home treatment will be required to receive a standard assessment. The state also requires that all children coming into DHS custody get a complete mental health assessment. The new workers will perform these assessments and create a multi-system Plan of Care for the family.

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

Personnel expenditures increase by 5.52 FTE \$375,314 (on going of 6.00 FTE \$407,947) offset with a like reduction in pass through (primary provider outpatient pool) plus and additional \$148 adjustment for shared services. Service reimbursement from the Behavioral Health fund to the insurance fund increases by \$57,843.

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

**If a budget modification, explain:**

- ❖ **What revenue is being changed and why?** No change to revenue; only a reallocation of OHP Premium from pass through to personnel.
- ❖ **What budgets are increased/decreased?** No net change to Mental Health's budget. The mental health primary provider outpatient pool is decreased while the Family Care Coordination program budget is increased.
- ❖ **What do the changes accomplish?** Provides the care management infrastructure needed for the upcoming program transition relating to the State Children's Mental Health System Change Initiative.
- ❖ **Do any personnel actions result from this budget modification? Explain.** Yes, 2.76 Mental Health Consultants, .92 Program Supervisor, and 1.84 Data Technicians.
- ❖ **Is the revenue one-time-only in nature?** N/A
- ❖ **If a grant, what period does the grant cover?**
- ❖ **When the grant expires, what are funding plans?**

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

**If a contingency request, explain:**

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

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

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

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

The State of Oregon Department of Human Services (DHS), Office of Mental Health and Addiction Services (OMHAS) has convened a number of meetings with stakeholders regarding the implementation of the Children's Mental Health System Change.

**Required Signatures:**



**Department/Agency Director:**

**Date: 07/22/04**

**Budget Analyst**



**By:**

**Date: 07/26/04**

**Dept/Countywide HR**



**By:**

**Date: 07/22/04**

**BUDGET MODIFICATION DCHS-01**  
**EXPENDITURES & REVENUES**

Budget Fiscal Year: 04/05

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

Ln No.	Fund Center	Fund Code	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
			Internal Order	Cost Center	WBS Element						
1	20-80	3002			MA SC PP CH XIX	50190	(6,282,662)	(6,004,685)	277,977		IG-OP-Fed Thru State
2	20-80	3002			MA SC PP CH XIX	60160	6,282,662	6,004,685	(277,977)		Pass Through
3											
4	20-80	3002			MA SC PP AD XIX	50190	(9,686,658)	(9,589,174)	97,484		IG-OP-Fed Thru State
5	20-80	3002			MA SC PP AD XIX	60160	9,686,658	9,589,174	(97,484)		Pass Through
6											
7	20-80	3002			MA SC CMH XIX	50190	0	(277,829)	(277,829)		IG-OP-Fed Thru State
8	20-80	3002			MA SC CMH XIX	60000	0	184,859	184,859		Permanent (3 MHC & 1 Prgrm Sup)
9	20-80	3002			MA SC CMH XIX	60130	0	53,277	53,277		Salary Related
10	20-80	3002			MA SC CMH XIX	60140	0	39,693	39,693		Insurance
11											
12	20-80	3002			MA SA OPS XIX	50190	(216,051)	(313,535)	(97,484)		IG-OP-Fed Thru State
13	20-80	3002			MA SA OPS XIX	60000	136,440	198,026	61,586		Permanent (2 Data Techs)
14	20-80	3002			MA SA OPS XIX	60130	39,322	57,070	17,748		Salary Related
15	20-80	3002			MA SA OPS XIX	60140	39,139	57,289	18,150		Insurance
16											
17	20-80	3002			MA SA BS XIX	50190	(312,937)	(313,085)	(148)		IG-OP-Fed Thru State
18	20-80	3002			MA SA BS XIX	60360	37,404	31,171	(6,233)		Fin Ops SS 1.66%
19	20-80	3002			MA SA BS XIX	60365	152,239	158,619	6,380		HR Ops SS 1.7%
20											
21	70-01	3500		705210		50316		(57,843)	(57,843)		Insurance Rev
22	70-01	3500		705210		60330		57,843	57,843		Claims Paid
23											
24	71-10	3506		711100		50310		6,233	6,233		Svc Reim BH Fund to BSvcs Fin Fund
25	71-10	3506		711100		60240		(6,233)	(6,233)		Supplies
26											
27	71-20	3506		712006		50310		(6,380)	(6,380)		Svc Reim BH Fund to BSvcs HR Fund
28	71-20	3506		712006		60240		6,380	6,380		Supplies
29											
								0	0		Total - Page 1
								0	0		GRAND TOTAL



**BOGSTAD Deborah L**

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**From:** CARROLL Mary P  
**Sent:** Wednesday, August 04, 2004 4:25 PM  
**To:** LINN Diane M; ROJO DE STEFFEY Maria; NAITO Lisa H; ROBERTS Lonnie J  
**Cc:** BOGSTAD Deborah L; ROMERO Shelli D; MARCH Steve J; MARTIN Chuck T; SMITH Andy J; BELL Iris D; JASPIN Michael D; WINTERS Nancy; BAKER Amy J; YAGER Chris D; STICKEL Al; PATE Patricia  
**Subject:** C-3 on the Board Agenda

**Serena would like to move C-3 from the Consent Agenda to the Regular Agenda**  
(Budget Modification DCHS-01 Reallocating Mental Health OHP Funds to Fund 5.52 FTE for the Transition Related to the Implementation of the 2003 Legislatively Approved State Children's Mental Health System Change Initiative Budget Note)

Since the Board hasn't been briefed on these changes mandated by the legislature yet, and this will involve increasing the county's liability, she feels that this would be a good opportunity for the board to hear from the department. We understand that the Children's Mental Health briefing is scheduled for later this month, but the department has agreed to provide an outline of the changes that the children's mental health system is facing and why the bud mod is needed before the briefing. We have already contacted DCHS and they will have staff available for the board meeting.

I apologize for the late notice of this, but we were only able to go over the agenda this afternoon.

Mary Carroll  
Executive Assistant  
Commissioner Serena Cruz  
501 SE Hawthorne Blvd. Suite 600  
Portland OR 97214  
(503)988-5275 phn (503)988-5440 fax  
[mary.p.carroll@co.multnomah.or.us](mailto:mary.p.carroll@co.multnomah.or.us)

# AGENDA PLACEMENT REQUEST

BUD MOD # DCHS-02

APPROVED : MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # C-4 DATE 08.05.04  
DEBORAH L. BOGSTAD, BOARD CLERK

## Board Clerk Use Only:

Meeting Date: August 5, 2004  
Agenda Item #: C-4  
Est. Start Time: 9:30 AM  
Date Submitted: 07/26/04

Requested Date: August 5, 2004

Time Requested: N/A

Department: County Human Services

Division: Developmental Disabilities

Contact/s: Al Stickel/Chris Yager

Phone: 503 988-3691 Ext.: 84135/26777 I/O Address: 166/7

Presenters: Consent Calendar

**Agenda Title:** Budget Modification DCHS-02 Increasing Developmental Disabilities Services Division (DD) Budget by \$50,369 to Reflect Recent State of Oregon Funding Revisions

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

- 1. What action are you requesting from the Board? What is the department/agency recommendation?** The Department of County Human Services recommends approval of budget modification DCHS-02.
- 2. Please provide sufficient background information for the Board and the public to understand this issue.** This modification reflects changes to our 2003-2005 biennium County Fiscal Assistance Contract (CFAC) with the State of Oregon through amendment #26.
- 3. Explain the fiscal impact (current year and ongoing).** This modification changes State Mental Health Revenue for the following services elements along with a corresponding change for pass through expenses: DD 44 Diversion Services \$16,986 increases, DD 49 Self Directed Individual/Family \$47,072 decrease, DD 50 Residential Facilities \$32,441 increase, DD 51 Supported Living Services \$47,106 increase, DD 53

Transportation \$184 increase, DD Employment & Alternative Services \$18,001 decrease, DD 56 Rent Subsidies \$1,800 increase, and DD 150 Family Support \$16,925 increase.

Director's Office expenditures for Dues & Subscriptions are decreased by \$836 to fund increased Fin Shared Service expenses of \$836. Service reimbursement from the Fed/State Fund to the Business Services Fund increases by \$836.

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

**If a budget modification, explain:**

- ❖ **What revenue is being changed and why?** State Mental Health Grant revenue to reflect current agreement with the state of Oregon.
- ❖ **What budgets are increased/decreased?** Developmental Disabilities budget increases by \$50,369 and Finance Shared Services increases by \$836.
- ❖ **What do the changes accomplish?** Brings the budget in line with current state agreements through amendment #26.
- ❖ **Do any personnel actions result from this budget modification? Explain.**  
N/A
- ❖ **Is the revenue one-time-only in nature?** No
- ❖ **If a grant, what period does the grant cover?** 2003-2005 biennium award.
- ❖ **When the grant expires, what are funding plans?** On going grant.

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

**If a contingency request, explain:**

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

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

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

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

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

**Required Signatures:**

**Department/Agency Director:**



**Date: 07/22/04**

**Budget Analyst**

**By:**



**Date: 07/22/04**

**Dept/Countywide HR**

**By:**

**Date:**

**BUDGET MODIFICATION DCHS-2**  
**EXPENDITURES & REVENUES**

Budget Fiscal Year: 04/05

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

Ln No.	Fund Center	Fund Code	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
			Internal Order	Cost Center	WBS Element						
1	20-50	81044			DD CLT 44	50190	(102,283)	(119,269)	(16,986)		IG-OP-Fed thru State
2	20-50	81044			DD CLT 44	60160	102,283	119,269	16,986		Pass Through
3											
4	20-50	81049			DD CLT 49	50190	(728,882)	(681,810)	47,072		IG-OP-Fed thru State
5	20-50	81049			DD CLT 49	60160	728,882	681,810	(47,072)		Pass Through
6											
7	20-50	81050			DD CLT 50	50190	(30,262,520)	(30,294,961)	(32,441)		IG-OP-Fed thru State
8	20-50	81050			DD CLT 50	60160	30,262,520	30,294,961	32,441		Pass Through
9											
10	20-50	81051			DD CLT 51	50190	(6,029,588)	(6,076,694)	(47,106)		IG-OP-Fed thru State
11	20-50	81051			DD CLT 51	60160	6,029,588	6,076,694	47,106		Pass Through
12											
13	20-50	81053			DD CLT 53	50190	(2,766,816)	(2,767,000)	(184)		IG-OP-Fed thru State
14	20-50	81053			DD CLT 53	60160	2,766,816	2,767,000	184		Pass Through
15											
16	20-50	81054			DD CLT 54	50190	(9,459,127)	(9,441,126)	18,001		IG-OP-Fed thru State
17	20-50	81054			DD CLT 54	60160	9,459,127	9,441,126	(18,001)		Pass Through
18											
19	20-50	81056			DD CLT 56	50190	(419,016)	(420,816)	(1,800)		IG-OP-Fed thru State
20	20-50	81056			DD CLT 56	60160	419,016	420,816	1,800		Pass Through
21											
22	20-50	81150			DD CLT 150	50190	(785,529)	(802,454)	(16,925)		IG-OP-Fed thru State
23	20-50	81150			DD CLT 150	60160	785,529	802,454	16,925		Pass Through
24											
25	26-00	1000			CHSDO.IND1000	60360	6,823	7,659	836		1.66% Finance Indirect.
26	26-00	1000			CHSDO.IND1000	60340	1,066	230	(836)		Dues & Subscriptions
27											
28	71-10	3506		711100		50310		(836)	(836)		Svc Reim F/S to Fin Fund
29	71-10	3506		711100		60240		836	836		Supplies
									0	0	<b>Total - Page 1</b>
									0	0	<b>GRAND TOTAL</b>

# AGENDA PLACEMENT REQUEST

BUD MOD # DCHS-03

APPROVED : MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # C-5 DATE 08-05-04  
DEBORAH L. BOGSTAD, BOARD CLERK

**Board Clerk Use Only:**

Meeting Date: August 5, 2004  
Agenda Item #: C-5  
Est. Start Time: 9:30 AM  
Date Submitted: 07/28/04

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**Requested Date:** August 5, 2004 **Time Requested:** N/A  
**Department:** County Human Services/ District Attorney **Division:** Domestic Violence  
**Contact/s:** Al Stickel/Chris Yager  
**Phone:** 503 988-3691 **Ext.:** 84135/26777 **I/O Address:** 166/7  
**Presenters:** Consent Calendar

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**Agenda Title:** Budget Modification DCHS-03 Recognizing \$150,000 United Way of Columbia -Willamette Focus Funding Grant Award for Domestic Violence Enhanced Response Team (DVERT)

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

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- 1. What action are you requesting from the Board? What is the department/agency recommendation?**  
The Department of County Human Services recommends approval of budget modification DCHS-03.
- 2. Please provide sufficient background information for the Board and the public to understand this issue.**  
The department received permission from the Board on March 25 2004 R-3 to apply for this grant. The original request was for \$200,000, however the actual award is \$150,000. The funding will be used to develop the DVERT model to address specific, high-risk domestic violence cases through a comprehensive range of services. The DVERT program is collaboration between the Department of County Human Services, Portland Police Bureau, the County District Attorney Office, and community based victims' services contractors.

The grant will fund a .80 FTE Program Development Specialist (Coordinator) located at the Gateway Children's Center Multi-Disciplinary Team Building and a .75 FTE Victims Assistant in the District Attorney's Office. The goals are:

- Improve consistency and coordination of law enforcement in dealing with domestic violence and partner abuse issues.
- Improve skills and ability to access assistance from the legal/justice system. Increase skills to prevent domestic violence and/or abuse.
- Improve consistency and coordination of law enforcement in dealing with domestic violence and partner abuse issues.

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

Personnel expenditures increase by \$94,094 for 1.55 FTE. Professional services increase by \$40,000 for Legal Aid Services for domestic violence cases for victims. Pass Through expenses increase by \$2,587 for client assistance. Material & Supplies increase by \$10,612. Grant paid indirect expenses increase by \$998 and \$1,710 for Shared Services. Service reimbursements from the Fed/State Fund increase to the following funds: \$4,012 Telecommunications; \$4,600 Motor Pool; and \$17,153 Insurance Fund. Grant revenue increases by \$150,000; renewable for up to three years. Department grant paid indirect revenue increases by \$708 with a like increase in supplies expense.

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

**If a budget modification, explain:**

- ❖ **What revenue is being changed and why?** Recognize new grant revenue of \$150,000 from United Way Columbia-Willamette.
- ❖ **What budgets are increased/decreased?** The County's budget increases by \$150,000 with \$110,000 for the Department of County Human Services and \$40,000 for the District Attorney's Office. Department grant paid indirect revenue increases by \$708.
- ❖ **What do the changes accomplish?** Provides resources to address specific, high risk domestic violence cases through a comprehensive range of services.
- ❖ **Do any personnel actions result from this budget modification? Explain.** Yes, net increase of 1.55 FTE consisting of a .80 FTE Program Development Specialist (Coordinator) and a .75 FTE Victim Advocate.
- ❖ **Is the revenue one-time-only in nature?** No, renewable for up to 3 years
- ❖ **If a grant, what period does the grant cover?** July 2004- June 2007
- ❖ **When the grant expires, what are funding plans?** At this time there are no funding plans to continue the DVERT program. The plan is to institutionalize the relationships, responsibilities and functions of the DVERT program. During the 3 years of the grant we will work with the City, County and other funders to partners to maintain the partnerships.

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

**If a contingency request, explain:**

- ❖ **Why was the expenditure not included in the annual budget process?**

- ❖ What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?
- ❖ Why are no other department/agency fund sources available?
- ❖ Describe any new revenue this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account.
- ❖ Has this request been made before? When? What was the outcome?

If grant application/notice of intent, explain:

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

4. Explain any legal and/or policy issues.

N/A

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

The DVERT project has an advisory committee made up of community stakeholders and partners. Presently, the membership includes Portland Police Bureau, District Attorney's Office, victim's services agencies (Volunteers of America, El Programa Hispano, and Raphael House), Department of Community Justice, Legal Aid Services of Oregon, and Oregon DHS Child Welfare.

**Required Signatures:**

Department/Agency Director:



Date: 07/23/04

Budget Analyst

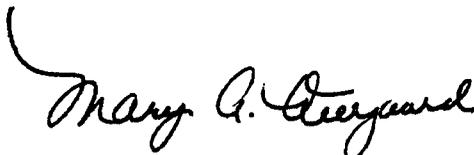
By:



Date: 07/28/04

Dept/Countywide HR

By:



Date: 07/23/04

Budget Modification or Amendment ID: **DCHS-03****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 05

Line No.	Fund Center	Fund Code	Func. Area	Internal Order	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
					Cost Center	WBS Element							
1	20-30	32145	40			DV03 CRD.UW	50210	-	(110,000)	(110,000)		Nongovernmental Grants	
2	20-30	32145	40			DV03 CRD.UW	60000	-	33,308	33,308		Base [new position]	
3	20-30	32145	40			DV03 CRD.UW	60120	-	1,332	1,332		Premium (4% COLA)	
4	20-30	32145	40			DV03 CRD.UW	60130	-	9,599	9,599		Fringe [new position]	
5	20-30	32145	40			DV03 CRD.UW	60140	-	9,855	9,855		Insurance [new position]	
6	20-30	32145	40			DV03 CRD.UW	60160		2,587	2,587		Pass Through Pymts	
7	20-30	32145	40			DV03 CRD.UW	60170	-	40,000	40,000		Professional Svcs Pymts	
8	20-30	32145	40			DV03 CRD.UW	60180	-	500	500		Printing	
9	20-30	32145	40			DV03 CRD.UW	60230	-	100	100		Postage	
10	20-30	32145	40			DV03 CRD.UW	60240	-	2,000	2,000		Supplies	
11	20-30	32145	40			DV03 CRD.UW	60270	-	2,400	2,400		Local Travel / Mileage	
12	20-30	32145	40			DV03 CRD.UW	60370	-	1,012	1,012		Telecommunications	
13	20-30	32145	40			DV03 CRD.UW	60410		4,600	4,600		Motor Pool	
14	20-30	32145	40			DV03 CRD.UW	60350	-	290	290		Indirect Costs - Central .27%	
15	20-30	32145	40			DV03 CRD.UW	60355	-	708	708		Indirect Costs - Dept .66%	
16	20-30	32145	40			DV03 CRD.UW	60360	-	790	790		Finance Operations 1.66%	
17	20-30	32145	40			DV03 CRD.UW	60365	-	919	919	0	HR Operations 1.70%	
18													
19	15-30	32145	50			DA UW	50210	-	(40,000)	(40,000)		Nongovernmental Grants	
20	15-30	32145	50			DA UW	60000	-	25,761	25,761		Base [new position]	
21	15-30	32145	50			DA UW	60130	-	6,941	6,941		Fringe [new position]	
22	15-30	32145	50			DA UW	60140	-	7,298	7,298	0	Insurance [new position]	
23													
24	26-00	1000	40			CHSDO.IND1000	50370	(143,965)	(144,673)	(708)		Dept Indirect Rev	
25	26-00	1000	40			CHSDO.IND1000	60240	4,593	5,301	708		Supplies	
26													
27	70-01	3500	20		705210		50316		(17,153)	(17,153)		Insurance Rev	
28	70-01	3500	20		705210		60330		17,153	17,153		Claims Paid	
29													
										0	0	<b>Total - Page 1</b>	
										0	0	<b>GRAND TOTAL</b>	

Budget Modification or Amendment ID: **DCHS-03**

**EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 05

Line No.	Fund Center	Fund Code	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
				Internal Order	Cost Center	WBS Element						
30	71-10	3506	20		711100		50310	(790)	(790)		Svc Reim F/S to BSvcs Fund	
31	71-10	3506	20		711100		60240	790	790		Supplies	
32												
33	71-20	3506	20		712006		50310	(919)	(919)		Svc Reim F/S to BSvcs Fund	
34	71-20	3506	20		712006		60240	919	919		Supplies	
35												
36	19	1000	20		950000100		50310	(290)	(290)		Svc Reim F/S to General Fund	
37	19	1000	20		950000100		60470	290	290		Contingency	
38												
39	90-40	3501	20		904100		50310	(4,600)	(4,600)		Svc Reim F/S to Motor Pool	
40	90-40	3501	20		904100		60240	4,600	4,600		Supplies	
41												
42	70-03	3503	20		709525		50310	(1,012)	(1,012)		Svc Reim F/S to Telecom	
43	70-03	3503	20		709525		60200	1,012	1,012		Communications	
44												
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57												
58												
									0	0	<b>Total - Page 2</b>	
									0	0	<b>GRAND TOTAL</b>	

**ANNUALIZED PERSONNEL CHANGE**

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

						ANNUALIZED			
Fund	Job #	HR Org Unit	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
1505	6021	63260	Program Development Spec	New	0.80	33,308	9,599	9,855	52,762
1505	6247	64480	Victim Advocate	New	0.75	25,761	6,941	7,298	40,000
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
<b>TOTAL ANNUALIZED CHANGES</b>					<b>1.55</b>	<b>59,069</b>	<b>16,540</b>	<b>17,153</b>	<b>92,762</b>

**CURRENT YEAR PERSONNEL DOLLAR CHANGE**

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

						CURRENT YEAR			
Fund	Job #	HR Org Unit	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
1505	6021	63260	Program Development Spec	New	0.80	33,308	9,599	9,855	52,762
1505	6247	64480	Victim Advocate	New	0.75	25,761	6,941	7,298	40,000
									0
									0
									0
									0
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									0
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									0
									0
									0
									0
									0
									0
<b>TOTAL CURRENT FY CHANGES</b>					<b>1.55</b>	<b>59,069</b>	<b>16,540</b>	<b>17,153</b>	<b>92,762</b>

#1

MULTNOMAH COUNTY BOARD OF COMMISSIONERS  
PUBLIC TESTIMONY SIGN-UP

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Please complete this form and return to the Board Clerk

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

MEETING DATE: Aug 5, 04

SUBJECT: Montavilla Library Getting to Yes.

---

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

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

NAME: SANDRA MCDANIEL

ADDRESS: 1435 NE 73rd AVE

CITY/STATE/ZIP: PHD, OR 97213

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

DAYS: 257-3346

EVES: 257-3346

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

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

SPECIFIC ISSUE: MONTAVILLA LIBRARY

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WRITTEN TESTIMONY: to follow -

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

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

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

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

## **Testimony**

### **Save the Montavilla Library**

**Sandra Mc Daniel**  
**Chair, Montavilla Neighborhood Association**

**August 5, 2004**

Chair Linn and County Commissioners, and County staff, you are most cordially invited to an Open House at Montavilla Library on the evening of Monday, October 11 at 7 pm. We have already started to publicize the event.

I felt happy. Commissioner Naito wrote Montavilla neighbors that "...the Board of County Commissioners would require a showing that...there was sufficient volunteer and financial support in the neighborhood to sustain long-term" Montavilla Library, as a library, into perpetuity (forever).

People are eager to show their support. Many want to testify on behalf of the Montavilla Library. They feel frustrated by the rigid meeting times and location of regular Board of Commissioners' meetings. When Commissioner Naito challenged Montavilla neighbors to a "showing" of support; she gave us a great idea. The obvious solution was to invite you to an Open House and public "showing," in case by October you still need support for your decision to re-open Montavilla Library. We are ever mindful that we need at least three votes.

There are two possible agendas and formats under consideration for that evening. One possibility is a celebration.

If by October 11, the proposal to re-open Montavilla Library is approved and signed that evening, we will celebrate. With a ribbon-cutting ceremony, refreshments, and much hoopla, we will offer a heartfelt thanks to each of you. That is my vision.

Representatives from Gaston to Warren to Gresham have supported by their efforts the proposal to re-open Montavilla Library, as a volunteer-run library. That must be encouraging. With Montavilla Library, you see an example of cooperation and enthusiasm across diverse borders for a common sense solution for these difficult economic times.

Many residents and businesses have wanted to testify in person about their support for Montavilla Library. They have been frustrated by the rigid times and location of the Board of County Commissioners' meetings. The October Open House is the perfect solution for all concerned.

If an agreement has not been reached by October 11 on how best to re-open Montavilla Library, you are invited to listen. As the Neighborhood Association Chair, I will follow the County Commissioners' format for meetings. The Save Montavilla Library project manager and our engineer will brief the audience about our progress and any obstacles encountered followed by a

“Speak Out,” The “Speak Out” is strictly a public-participation forum for the County Commissioners. You will hear about the “Montavilla Library: Getting to Yes” grass-roots efforts, commitments and goals. You will learn the perspective of communities that lose services at a disproportionately high rate and who have been chronically under-served.

In November, the County can respond.

Montavilla earned its Library in the 1930s when the children of the Great Depression from Montavilla and Vestal Grade Schools gave their pennies and nickels to create a Montavilla Library and as a combined public private partnership spearheaded by the Kiwanis Club of Montavilla. The Montavilla Library exists as a result of grass roots efforts. This Library belongs to our neighborhood.

Please plan to attend.

#2

MULTNOMAH COUNTY BOARD OF COMMISSIONERS  
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk

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

MEETING DATE: 8/5/09

SUBJECT: Montavilla Library: getting  
to Yes.

AGENDA NUMBER OR TOPIC:

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

NAME: Maureen Wright

ADDRESS: 1505 SE Madison St

CITY/STATE/ZIP: Portland OR 97214

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

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

SPECIFIC ISSUE: Montavilla Library

WRITTEN TESTIMONY: to follow

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

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

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

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

# AGENDA PLACEMENT REQUEST

**BUD MOD #:**

**Board Clerk Use Only:**

**Meeting Date: August 5, 2004**

**Agenda Item #: R-1**

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

**Date Submitted: 07/20/04**

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**Requested Date:** Thursday, August 5, 2004      **Time Requested:** 5 minutes  
**Department:** Non-Departmental      **Division:** Chair's Office  
**Contact/s:** Agnes Sowle  
**Phone:** (503) 988-5219, (503) 988-3138      **I/O Address:** 503/500  
**Presenters:** Agnes Sowle

---

**Agenda Title:** RESOLUTION Calling an Election and Approving Ballot Title and Explanatory Statement on Repealing 2004, 2005 County Income Tax for Schools and Other Services

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

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- 1. What action are you requesting from the Board? What is the department/agency recommendation?** Adopt Resolution Calling Election and Approving Ballot Titles and Explanatory Statement Repealing 2004, 2005 County Income Tax for Schools and Other Services.
- 2. Please provide sufficient background information for the Board and the public to understand this issue.** On March 20, 2003, by Resolution 03-041, the Board referred Measure 26-48 entitled "Three-Year Income Tax For Schools, Human Services, Public Safety" to the voters. Measure 26-48 was approved by voters at the May 20, 2003, Primary Election.

On March 16, 2004, a prospective initiative petition was filed with the county Elections Division to repeal Measure 26-48 for tax years 2004 and 2005. As required under MCC § 5.102, a ballot title and explanatory statement were prepared and forwarded to the Director of Elections and chief petitioner on March 23, 2004. Under § 5.102(F), within seven business days after the ballot title is received by the director, an elector may

petition the county circuit court to challenge the ballot title or explanatory statement. On April 1, 2004, a petition for review of the ballot title and explanatory statement was filed in the circuit court. On May 7, 2004, the circuit court certified the revised ballot title and explanatory statement attached as Exhibit 1 to the resolution.

After the requirements of § 5.102(F) were met, the chief petitioners circulated the petition for the measure among the electors. The signatures were verified and on July 16, 2004, the Director of Elections certified the petition contained a sufficient number of qualified signatures as required under § 5.104.

Upon receiving the director's certification, the Board may either adopt the proposed legislation or call an election on the measure (§ 5.106). The Board must call the election on the next available election date that is not sooner than the 90<sup>th</sup> day after the director's certification of qualified signatures.

The proposed resolution calls the election for November 2, 2004, and adopts the ballot title and explanatory statement as certified by the circuit court.

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

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

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

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

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

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

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

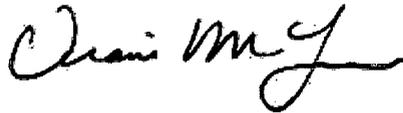
**If grant application/notice of intent, explain: N/A**

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

- ❖ **When the grant expires, what are funding plans?**
- ❖ **How will the county indirect and departmental overhead costs be covered?**

4. **Explain any legal and/or policy issues.** Submits the question of repealing Measure 26-48 for tax years 2004 and 2005 to voters for the November 2, 2004, election as required by MCC § 5.106.
5. **Explain any citizen and/or other government participation that has or will take place.** None.

**Required Signatures:**



**Department/Agency Director:**

**Date: 7/19/2004**

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

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

Calling an Election and Approving Ballot Title and Explanatory Statement on Repealing 2004, 2005 County Income Tax for Schools and Other Services

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

- a. On March 20, 2003, by Resolution 03-041, the Board referred Measure 26-48 entitled "Three-Year Income Tax For Schools, Human Services, Public Safety" to the voters.
- b. Measure 26-48 was approved by voters at the May 20, 2003, Primary Election.
- c. On March 16, 2004, a prospective initiative petition was filed with the county Elections Division to repeal Measure 26-48 for tax years 2004 and 2005.
- d. As required under MCC § 5.102, a ballot title and explanatory statement were prepared and forwarded to the Director of Elections and chief petitioner on March 23, 2004.
- e. Under § 5.102(F), within seven business days after the ballot title is received by the director, an elector may petition the county circuit court to challenge the ballot title or explanatory statement. On April 1, 2004, a petition for review of the ballot title and explanatory statement was filed in the circuit court. On May 7, 2004, the circuit court certified the revised ballot title and explanatory statement attached as Exhibit 1.
- f. After the requirements of § 5.102(F) were met, the chief petitioners circulated the petition for the measure among the electors. The signatures were verified; and on July 16, 2004, the Director of Elections certified the petition contained a sufficient number of qualified signatures as required under § 5.104.
- g. Upon receiving the director's certification, the Board may either adopt the proposed legislation or call an election on the measure (§ 5.106). The Board must call the election on the next available election date that is not sooner than the 90<sup>th</sup> day after the director's certification of qualified signatures.

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

1. The question of repealing the 2004 and 2005 county income tax for schools and other services shall be submitted to voters at the November 2, 2004, election.
2. The Director of Multnomah County Division of Elections shall publish the notices required by law and place the question on the November 2, 2004 ballot.

3. The ballot title and explanatory statement attached as Exhibit 1 are approved and certified to the Elections Director.
4. The Board Clerk shall submit this Resolution, ballot title and explanatory statement to the Elections Director for further action as required by law.

ADOPTED this 5<sup>th</sup> day of August 2004.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

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Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By

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

**BALLOT TITLE**

**CAPTION:**

**MEASURE NO. \_\_\_\_\_**

REPEALS 2004, 2005 COUNTY INCOME TAX FOR SCHOOLS, OTHER SERVICES.

**QUESTION:**

*Shall Multnomah County's voter approved three-year 1.25% income tax for schools and services be repealed for 2004 and 2005?*

**SUMMARY:**

On May 20, 2003, Multnomah County voters approved Measure 26-48 enacting a three year 1.25% income tax for county schools, health and senior care and public safety. The tax is on income earned in 2003, 2004, and 2005. Law creates citizen's oversight committee to review how school districts spend county tax revenues and requires independent performance audits. Citizen's committee issued report and audits are ongoing.

This initiative measure would repeal the county's temporary income tax for 2004 and 2005, with tax on personal income earned during calendar year 2003 remaining due and payable. Provides no replacement funding.

The major effect of this initiative measure would be

- a loss to Multnomah County public schools of about \$90 million in 2004-2005 and \$90 million in 2005-2006 school years for services such as teachers, programs and instructional days;
- a loss of approximately \$32 million each year for public safety and health and senior care (including prescription drug benefits for low income seniors, senior and disabled housing and mental health care for low income people).

## **EXPLANATORY STATEMENT:**

This initiative measure would repeal the temporary 1.25% personal income tax Multnomah County voters approved in 2003 (Measure 26-48) for county schools, health and senior care and public safety for 2004 and 2005. The county tax on personal income earned during calendar year 2003 would remain due and payable, but no county tax would be assessed on personal income earned during calendar years 2004 and 2005.

Measure 26-48 requires performance audits on how money raised through the county tax is spent. Those audits are ongoing. Measure 26-48 also created a School Efficiency and Quality Advisory Council made up of parents, educators, taxpayers, business, labor and government leaders to review expenditures by county schools districts. The Council reported in March 2004 that Multnomah County school districts received approximately \$67 million from the county tax during the 2003-2004 schools years. Those funds were used to restore or maintain over 780 teachers and to restore or maintain a full schools year in all county school districts.

About 70% of the county income tax revenues are used to assist county public schools, including Centennial, Corbett, David Douglas, Gresham-Barlow, Parkrose, Portland, Reynolds, Riverdale Districts, with their funding gaps and restore some local services such as:

- Retaining teacher positions to maintain or improve student-teacher ratios;
- Maintaining instructional days to help ensure a full, 180 day school year;
- Funding programs and services that prepare students for college and the workforce;
- Communicating with citizens about achievement and accounting for the use of these tax dollars.

The measure provides no replacement funding.

As a result of this initiative measure, county schools would lose about \$90 million for the 2004-2005 school year and \$90 million for the 2005-2006 school year.

About 25% of revenues provide funds for health care, mental health, senior services, and public safety such as:

- Housing and living assistance to seniors and the disabled;
- Prescription drug assistance for low-income seniors;
- Emergency mental health services;
- Health, mental health and addiction treatment for offenders to help reduce recidivism;
- Prosecution of identity theft, stolen vehicles, theft, vandalism, criminal trespass and possession of controlled substances;
- Support for community courts;
- Restoration of jail beds;

- Juvenile justice and gang services - day reporting center, juvenile diversion, skill development, probation, gang outreach, receiving center/homeless youth;
- Community supervision of adult offenders;
- Restore alcohol and drug treatment for repeat offenders.

This initiative measure would also result in a loss of \$32 million each year for public safety and health and senior services.

The effects of this initiative measure would be a loss of about \$127 million in 2004 and \$127 million in 2005. About 5% of revenues are for tax collection.

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

**RESOLUTION NO. 04-109**

Calling an Election and Approving Ballot Title and Explanatory Statement on Repealing 2004, 2005 County Income Tax for Schools and Other Services

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

- a. On March 20, 2003, by Resolution 03-041, the Board referred Measure 26-48 entitled "Three-Year Income Tax For Schools, Human Services, Public Safety" to the voters.
- b. Measure 26-48 was approved by voters at the May 20, 2003, Primary Election.
- c. On March 16, 2004, a prospective initiative petition was filed with the county Elections Division to repeal Measure 26-48 for tax years 2004 and 2005.
- d. As required under MCC § 5.102, a ballot title and explanatory statement were prepared and forwarded to the Director of Elections and chief petitioner on March 23, 2004.
- e. Under § 5.102(F), within seven business days after the ballot title is received by the director, an elector may petition the county circuit court to challenge the ballot title or explanatory statement. On April 1, 2004, a petition for review of the ballot title and explanatory statement was filed in the circuit court. On May 7, 2004, the circuit court certified the revised ballot title and explanatory statement attached as Exhibit 1.
- f. After the requirements of § 5.102(F) were met, the chief petitioners circulated the petition for the measure among the electors. The signatures were verified; and on July 16, 2004, the Director of Elections certified the petition contained a sufficient number of qualified signatures as required under § 5.104.
- g. Upon receiving the director's certification, the Board may either adopt the proposed legislation or call an election on the measure (§ 5.106). The Board must call the election on the next available election date that is not sooner than the 90<sup>th</sup> day after the director's certification of qualified signatures.

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

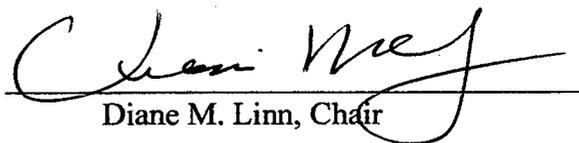
1. The question of repealing the 2004 and 2005 county income tax for schools and other services shall be submitted to voters at the November 2, 2004, election.
2. The Director of Multnomah County Division of Elections shall publish the notices required by law and place the question on the November 2, 2004 ballot.

3. The ballot title and explanatory statement attached as Exhibit 1 are approved and certified to the Elections Director.
4. The Board Clerk shall submit this Resolution, ballot title and explanatory statement to the Elections Director for further action as required by law.

ADOPTED this 5th day of August 2004.



BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

  
Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By   
Agnes Sowle, County Attorney

**BALLOT TITLE**

**CAPTION:**

**MEASURE NO. 26-64**

**REPEALS 2004, 2005 COUNTY INCOME TAX FOR SCHOOLS, OTHER SERVICES.**

**QUESTION:**

*Shall Multnomah County's voter approved three-year 1.25% income tax for schools and services be repealed for 2004 and 2005?*

**SUMMARY:**

On May 20, 2003, Multnomah County voters approved Measure 26-48 enacting a three year 1.25% income tax for county schools, health and senior care and public safety. The tax is on income earned in 2003, 2004, and 2005. Law creates citizen's oversight committee to review how school districts spend county tax revenues and requires independent performance audits. Citizen's committee issued report and audits are ongoing.

This initiative measure would repeal the county's temporary income tax for 2004 and 2005, with tax on personal income earned during calendar year 2003 remaining due and payable. Provides no replacement funding.

The major effect of this initiative measure would be

- a loss to Multnomah County public schools of about \$90 million in 2004-2005 and \$90 million in 2005-2006 school years for services such as teachers, programs and instructional days;
- a loss of approximately \$32 million each year for public safety and health and senior care (including prescription drug benefits for low income seniors, senior and disabled housing and mental health care for low income people).

## **EXPLANATORY STATEMENT:**

This initiative measure would repeal the temporary 1.25% personal income tax Multnomah County voters approved in 2003 (Measure 26-48) for county schools, health and senior care and public safety for 2004 and 2005. The county tax on personal income earned during calendar year 2003 would remain due and payable, but no county tax would be assessed on personal income earned during calendar years 2004 and 2005.

Measure 26-48 requires performance audits on how money raised through the county tax is spent. Those audits are ongoing. Measure 26-48 also created a School Efficiency and Quality Advisory Council made up of parents, educators, taxpayers, business, labor and government leaders to review expenditures by county schools districts. The Council reported in March 2004 that Multnomah County school districts received approximately \$67 million from the county tax during the 2003-2004 schools years. Those funds were used to restore or maintain over 780 teachers and to restore or maintain a full schools year in all county school districts.

About 70% of the county income tax revenues are used to assist county public schools, including Centennial, Corbett, David Douglas, Gresham-Barlow, Parkrose, Portland, Reynolds, Riverdale Districts, with their funding gaps and restore some local services such as:

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- Funding programs and services that prepare students for college and the workforce;
- Communicating with citizens about achievement and accounting for the use of these tax dollars.

The measure provides no replacement funding.

As a result of this initiative measure, county schools would lose about \$90 million for the 2004-2005 school year and \$90 million for the 2005-2006 school year.

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- Prescription drug assistance for low-income seniors;
- Emergency mental health services;
- Health, mental health and addiction treatment for offenders to help reduce recidivism;
- Prosecution of identity theft, stolen vehicles, theft, vandalism, criminal trespass and possession of controlled substances;
- Support for community courts;
- Restoration of jail beds;
- Juvenile justice and gang services - day reporting center, juvenile diversion, skill development, probation, gang outreach, receiving center/homeless youth;
- Community supervision of adult offenders;
- Restore alcohol and drug treatment for repeat offenders.

This initiative measure would also result in a loss of \$32 million each year for public safety and health and senior services.

The effects of this initiative measure would be a loss of about \$127 million in 2004 and \$127 million in 2005. About 5% of revenues are for tax collection.

# AGENDA PLACEMENT REQUEST

**BUD MOD #:**

**Board Clerk Use Only:**

**Meeting Date: August 5, 2004**

**Agenda Item #: R-2**

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

**Date Submitted: 07/13/04**

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**Requested Date:** August 5, 2004

**Time Requested:** 5 minutes

**Department:** DBCS

**Division:** FPM

**Contact/s:** Wanda Yantis, Debra Crawford

**Phone:** 503-988-3322

**Ext.:** 84242

**I/O Address:** FPM/274

**Presenters:** Wanda Yantis, Debra Crawford, Jody Erickson, Scott Marcy

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**Agenda Title: Resolution Approving a Lease of Property Located at 912 NE Kelly, Suites 260 and 264, Gresham, Oregon, from 9th & Kelly LLC, for Office and Public Service Use by the District Attorney Support Enforcement Division**

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

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

The Department of Business and Community Services and the District Attorney-Support Enforcement Division request this Resolution be considered under an "expedited process" and allow an exception to the normal Agenda Placement Request timeline. An exception is requested because: 1) The process for negotiating this lease has been extensive; and 2) The District Attorney-Support Enforcement Division's previous lease with City of Gresham expired on June 30, 2004; and they remain in the premises under an approved holdover which must be vacated by July 31, 2004. This Agenda Placement Request, the Resolution, and the prepared Lease are being submitted to the Agenda Review Team requesting an exception to the normal Agenda Placement Request timeline for an expedited review process.

The Department of Business and Community Services requests the Board review the lease and the resolution approving the lease with 9<sup>th</sup> & Kelly LLC for office space in suites 260 and 264 at 912 NE Kelly, Gresham, Oregon, and authorize the Chair to sign the lease agreement on behalf of the County. The Department of Business and

Community Services, Facilities and Property Management Division, recommends adoption of the Resolution.

2. **Please provide sufficient background information for the Board and the public to understand this issue.** District Attorney-Support Enforcement Division manager, Jodi Erickson, and fiscal manager Scott Marcy initiated contact with Dave Brugatto of the City of Gresham regarding their lease of space in the Gresham Public Safety & Schools Building that was expiring and were informed that the lease would not be renewed as the City needed the space. The City offered alternative space at the Gresham District Court building since the County was renegotiating that lease as well, but the District Court space was unacceptable for use by the District Attorney-Support Enforcement Division staff and clients due to location and building condition. District Attorney-Support Enforcement Division requested office space close to MAX, and within short distance to the Gresham District Court building to provide transportation access for clients and staff. Facilities & Property Management was unable to locate sufficient, acceptable, and available space in the East County/Gresham area within existing County owned buildings including Multnomah County East and Rockwood Health Clinic. A new office space lease was needed to provide District Attorney-Support Enforcement Division relocation opportunity before the City of Gresham lease expired.

The 9<sup>th</sup> & Kelly Building is conveniently located for the District Attorney-Support Enforcement Division staff and clients by being only one block north of Multnomah County East, the MAX lines and a Tri Met parking structure. The State Services Division offices are located on the 1<sup>st</sup> floor of the building, and co-location of the District Attorney-Support Enforcement Division on the 2<sup>nd</sup> floor provides convenience to the SED clients; many of whom already attend appointments with the State Services Division. The building is ADA compliant and IT enhanced, and the building owner has been accommodating with regard to improvements in the vacant 2<sup>nd</sup> floor office space for compliance with the District Attorney-Support Enforcement Division's federally mandated security requirements in order to lease the space to the County.

3. **Explain the fiscal impact (current year and ongoing).** Fiscal Year 2005 Impact: Lease payments for rent during the initial 3-year term of this lease agreement will be \$11.50 per square foot on approximately 2,299 square feet of leased space; which is approximately \$2,499.75 per month or approximately \$27,497 for 11 months rent in FY05. Rent includes the County's pro-rata share of estimated O&M expenses and the lease provides for annual reconciliation of O&M expenses. The two suites (#260 and #264) have been combined into one large suite at the District Attorney-Support Enforcement Division request via tenant improvements negotiated through Facilities and Property Management with the owner. Construction costs, estimated at approximately \$42,348, will be completed by July 30, 2004. Other costs related to the District Attorney-Support Enforcement Division move to the 9<sup>th</sup> & Kelly Building from the existing leased space at City of Gresham Public Works & Schools include IT and Herman Miller costs are estimated at \$41,554, and relocation and F/M project management costs estimated at \$11,500. The total estimated costs for tenant improvements and relocation is approximately \$95,402, and will be paid by District Attorney-Support Enforcement Division. If the estimated tenant improvement costs are added to the 3-year lease term rent, the cost per square foot would be approximately \$17.64. Comparable market rents in Gresham were found to be \$16.50-\$18 per square foot depending upon terms and location. The 9<sup>th</sup> & Kelly Building lease provides the County with the option to renew for an additional 3-year term beginning 8/1/07 with the rent set at the greater of \$11.50 per

square foot, or \$11.50/square foot plus the percentage change in the CPI-Portland index between 6/1/04-6/1/07.

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

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

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

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

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

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

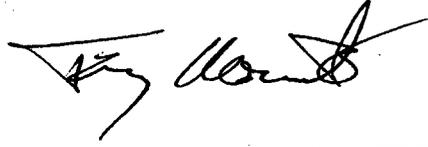
**If grant application/notice of intent, explain: N/A**

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

**4. Explain any legal and/or policy issues involved. None**

**5. Explain any citizen and/or other government participation that has or will take place.** Facilities & Property Management has involved the District Attorney's office, Property Managers for East County buildings, County IT, and Pacific Office Furnishings in the determination of surplus property status, tenant improvements, IT system support and relocation costs. Market rents and alternative leased space investigated through American Property Management, KMO Consultants, and Co-Star Group Real Estate Information.

**Required Signatures:**



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

**Date: 07/13/04**

**Budget Analyst**



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

**Date: 07/13/04**

**Dept/Countywide HR**

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

**Date:**

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

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

Approving A Lease Of Property Located At 912 NE Kelly, Suites 260 and 264,  
Gresham, Oregon From 9<sup>th</sup> & Kelly LLC For Office and Public Service Use by the  
District Attorney Support Enforcement Division.

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

- a. Property located at 912 NE Kelly, Gresham, Oregon, (Property) has been identified as being necessary for use by the District Attorney Support Enforcement Division for offices and public service location for child support enforcement.
- b. The attached lease has been negotiated with the owner of the property.
- c. It is in the best interests of the County to lease the Property on the terms and conditions set forth in the attached lease.

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

1. The Board approves the attached lease. The County Chair is authorized to execute the lease substantially in the form attached to this Resolution.
2. The County Chair is authorized to execute renewals of the lease and to execute amendments to the lease without further Board action.

ADOPTED this ~~22~~<sup>21</sup>nd day of ~~July~~<sup>June</sup>, 2004.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

\_\_\_\_\_  
Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By   
\_\_\_\_\_  
John S. Thomas, Assistant County Attorney

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

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

Approving a Lease of Property Located at 912 NE Kelly, Suites 260 and 264, Gresham, Oregon, from 9th & Kelly LLC, for Office and Public Service Use by the District Attorney Support Enforcement Division

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

- a. Property located at 912 NE Kelly, Gresham, Oregon, (Property) has been identified as being necessary for use by the District Attorney Support Enforcement Division for offices and public service location for child support enforcement.
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**The Multnomah County Board of Commissioners Resolves:**

1. The Board approves the attached lease. The County Chair is authorized to execute the lease substantially in the form attached to this Resolution.
2. The County Chair is authorized to execute renewals of the lease and to execute amendments to the lease without further Board action.

ADOPTED this 5th day of August, 2004.

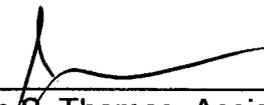
BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

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Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By   
\_\_\_\_\_  
John S. Thomas, Assistant County Attorney



## Michael D. Schrunk, District Attorney

1021 SW Fourth Avenue, Room 600  
Portland, OR 97204-1193  
Phone: 503-988-3162 Fax: 503-988-3643  
www.mcda.us

### MEMORANDUM

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

**From:** Michael D. Schrunk

**cc:** John Ball

**Date:** July 26, 2004

**Subject:** Proposed Lease of space at 912 N. E. Kelly, Gresham, Oregon

**RECEIVED**  
JUL 28 2004  
DIANE LINN CJB  
MULTNOMAH COUNTY CHAIR

On Thursday July 22, 2004 the Board of Commissioners considered agenda item R-11, a resolution authored by County Facilities on behalf of the District Attorney's Office Support Enforcement Division, requesting approval of lease for space located at 912 N. E. Kelly in Gresham, Oregon. It is my understanding that some concerns were raised about the proposed lease and that a final vote on the lease was postponed until the August 5, 2004 Board Session. I would like to give you some background on the Support Enforcement Office in Gresham and the proposed move to the Kelly street location.

The Support Enforcement Division opened its Gresham office in March of 1999. The purpose was to provide more localized service to the citizens of East County and its Hispanic community. The office is located in the Gresham City Police and Fire building in the Gresham City Hall complex. This was the result of a five-year lease negotiated between the City of Gresham, then Gresham Police Chief Bernie Giusto, and the County.

Prior to the opening of the Gresham Office, the Gresham child support case loads accounted for approximately 16% or \$2.1 million of the overall child support collections in Multnomah County. In fiscal year 2003/2004 the office collected over \$7.5 million or 27% of the overall collections. This is an additional \$5.4 million each year going into the local economy in East County. The Gresham office now serves a growing number of families and over 2,400 youth from the ages of 1 month to 21 years of age.

In March of 2004 our office was notified by the City of Gresham, that our lease, which was scheduled to terminate effective June 30, 2004, would not be renewed. The City of Gresham and Gresham Police Department needed this additional space. This meant that County Facilities staff and the Support Enforcement staff had a very short time frame to find a new location, with enough space to allow flexibility for growth. The Support Enforcement program must also comply with several state and federal confidentiality and privacy regulations, which add considerable complexity to finding suitable space.

During March and April 2004, two City of Gresham sites and several County owned or leased spaces were investigated, including any available Health Department space in the East County Building. These sites were all determined to be either too small and/or not appropriate for this program to occupy.

In the latter part of April, 2004 space was identified at 912 N. E. Kelly in Gresham and after an initial site visit by representatives of the program, Chief Deputy Helen Smith, Facilities staff, and the property management division of County Facilities began negotiating the potential lease and tenant improvements with property owner Steve Busk. The proposed lease was to begin August 1, 2004. Subsequently, Property Management also negotiated a one-month extension of the City of Gresham lease, which would terminate on July 31, 2004.

The tenant improvements in the proposed agreement, the cost of which were estimated at \$42,000 included work areas for six staff and an Operations Supervisor, a hard wall file room to meet IRS requirements, a waiting area with safety glass to meet confidentiality and security needs, and a private interview room. The construction necessary to complete the tenant improvements was estimated by Mr. Busk to take approximately four weeks.

During the week of June 7, 2004, with the final lease language not yet drafted, it became clear that the lease would not go before the Board in time to start and complete the necessary tenant improvements by the August 1, 2004 deadline. As a result of this time issue County Facilities submitted a "Notice to Proceed" to Mr. Busk allowing him to begin construction of the tenant improvements. I am told that while this is not a normal procedure for facilities, under extraordinary circumstances this remedy has been used in the past.

While the timing of the events I have described is regrettable, you can be assured that all due diligence has been exercised in locating new space for the Gresham Support Enforcement Office. As I have often mentioned, I believe that the Support Enforcement program is one of the best crime prevention programs Multnomah County has. I appreciate the efforts of County Facilities, and the County Attorney's Office in assisting us during this process. With the Board's approval we will have the space needed to continue to bring this valuable service to the citizens of East County.

**BOGSTAD Deborah L**

---

**From:** YANTIS Wanda  
**Sent:** Tuesday, August 03, 2004 4:14 PM  
**To:** BOGSTAD Deborah L  
**Subject:** FW: Proposed lease  
**Importance:** High

Deb, the email from commissioner Lisa Natio is highlighted below. In the email commissioner Natio states she is now comfortable with the lease moving forward.

Cheers,  
Wanda

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

**From:** MARCY Scott  
**Sent:** Wednesday, July 28, 2004 4:19 PM  
**To:** YANTIS Wanda  
**Subject:** FW: Proposed lease

D. Scott Marcy  
Finance Supervisor  
Multnomah Co. District Attorney's Office  
Scott.Marcy@mca.us  
503-988-3863, Fax 503-988-3643

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

**From:** NAITO Lisa H [mailto:lisa.h.naito@co.multnomah.or.us]  
**Sent:** Monday, July 26, 2004 2:16 PM  
**To:** MARCY Scott  
**Subject:** FW: Proposed lease

Hi Scott...fyi Lisa

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

**From:** NAITO Lisa H  
**Sent:** Monday, July 26, 2004 2:06 PM  
**To:** SCHRUNK Michael D  
**Cc:** BALL John; CRUZ Serena M; ROJO DE STEFFEY Maria; ROBERTS Lonnie J; LINN Diane M  
**Subject:** Proposed lease

Dear Mike,

Thank you for the memo on the proposed lease. My concern was whether we should move forward if there was suitable County space. The testimony showed that Mayor Becker had not been directly asked for an extension and that Lillian Shirley had not been directly informed about the need for space. I spoke with Lillian this afternoon and feel comfortable that we should move forward as you suggest in your memo. Sorry for the inconvenience, but recent audits have suggested that the Board scrutinize County leases carefully. Lisa

8/3/2004

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

**RESOLUTION NO. 04-105**

Approving a Lease of Property Located at 912 NE Kelly, Suites 260 and 264, Gresham, Oregon, from 9th & Kelly LLC, for Office and Public Service Use by the District Attorney Support Enforcement Division

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

- a. Property located at 912 NE Kelly, Gresham, Oregon, (Property) has been identified as being necessary for use by the District Attorney Support Enforcement Division for offices and public service location for child support enforcement.
- b. The attached lease has been negotiated with the owner of the property.
- c. It is in the best interests of the County to lease the Property on the terms and conditions set forth in the attached lease.

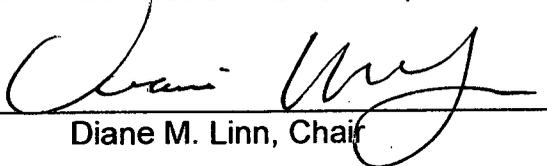
**The Multnomah County Board of Commissioners Resolves:**

1. The Board approves the attached lease. The County Chair is authorized to execute the lease substantially in the form attached to this Resolution.
2. The County Chair is authorized to execute renewals of the lease and to execute amendments to the lease without further Board action.

ADOPTED this 5th day of August, 2004.

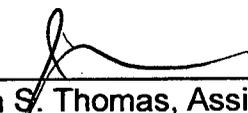


BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

  
Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By   
John S. Thomas, Assistant County Attorney

**LEASE**

Date: August 5, 2004

Between: Multnomah County, Oregon ("Tenant")  
Facilities and Property Management  
Attn: Asset Management-Leases  
401 N. Dixon Street  
Portland, OR 97227  
Phone: 503-988-3322  
FAX: 503-988-5082

And: 9<sup>th</sup> & Kelly LLC ("Landlord")  
Attn: Steve Busk  
912 NE Kelly Avenue, Suite 201  
Gresham, OR 97030  
Phone: 503-481-1999

Landlord leases to Tenant and Tenant leases from Landlord the following described property (the "Premises") on the terms and conditions stated below:

Approximately 2,299 useable square feet as shown in Exhibit "A" of this Lease, commonly known as Executive Suites 260 and 264, in the building located at 912 NE Kelly Avenue, Gresham, OR.

Landlord shall operate and maintain a Common Area as shown on the attached Exhibit "A" for its intended purposes and may from time to time change the size, location, nature and use of the Common Area and make installations thereon and remove same; provided unless required by law or due to some other reason outside the control of Landlord, Landlord agrees not to materially change the size, location, nature or use of the Common Area without the prior written consent of Tenant, such consent not to be unreasonably withheld or delayed. Tenant and Tenant's employees, agents, representatives and invitees shall have the non-exclusive right to use the Common Area as designated by Landlord, subject to such reasonable rules and regulations as Landlord may impose. Landlord may at any time temporarily close the

Common Area to make repairs or changes and may do such other acts in and to the Common Area as in its judgment may be desirable.

## **Section 1. Occupancy**

**1.1 Original Term.** The term of this lease shall commence on August 1, 2004 and continue through July 31, 2007, unless sooner terminated as hereinafter provided.

**1.2 Possession.** Tenant's right to possession and obligations under the lease shall commence on August 1, 2004.

**1.3 Renewal Option.** If the lease is not in default at the time this option is exercised or at the time the renewal term is to commence, Tenant shall have the option to renew this lease for an additional term of three (3) years, as follows:

(1) The renewal term shall commence on the day following expiration of the original term.

(2) The option may be exercised by written notice to Landlord given not less than ninety (90) days prior to the last day of the expiring term. The giving of such notice shall be sufficient to make the lease binding for the renewal term without further act of the parties.

(3) The terms and conditions of the lease for the renewal term shall be identical with the original term except for rent. Base Rent for the renewal term shall be the greater of (a) the base rent per square foot during the initial term, or (b) the initial term base rent per square foot increased by a percentage equal to the percentage change in the Consumer Price Index published by the United States Bureau of Labor Statistics of the United States Department of Labor. Comparisons shall be made using the index entitled Consumer Price Index - All Urban Consumers - Portland-Salem, OR-WA (1982-84 = 100) or the nearest comparable data on changes in the cost of living if such index is no longer published.

## **Section 2. Rent**

**2.1 Rent.** Tenant shall pay to Landlord as rent the sum of \$2,466.75 per month for the initial lease term. Rent shall include the County's pro-rata share of operating, utility & maintenance expenses (O&M), excluding taxes and assessments.

Base rent will be calculated upon 2,574 rentable square feet of leased premises at a rate of \$8.50 per square foot base rent, plus \$3.00 per square foot (total of \$7722.00 per year) for estimated operating, utility & maintenance costs, more particularly described in Section 2.2. Rent shall be payable on the first day of each month in advance at the address for Landlord first above stated or at such place as may be designated by Landlord.

**2.2 Annual Reconciliation of Expenses.** Prior to August 31<sup>st</sup> of each year, Landlord will provide Tenant with an unaudited detailed statement of Landlord's operating, utility & maintenance costs and a statement of Tenant's prorata share of such costs. As used in this lease, "tenant's prorata share" means the fraction of the total expenses determined by dividing the area of tenant's rentable space by the total rentable space in the building. As used in this Lease, the term "operating, utility and maintenance costs" means the actual reasonable costs incurred by Landlord during the period August 1 through July 31 of each lease year for utilities and for operation and maintenance of the building. If the operating, utility and maintenance costs exceed \$7,722.00 Tenant shall pay Landlord the difference within 30 days of receipt of the reconciliation. If such costs are less than \$7,722.00, Landlord shall pay tenant the difference within 30 days of the date the reconciliation is to be provided to Tenant but not later than September 30.

**2.3 Audit** At any time after Landlord's statement of operating, utility and maintenance costs is due, whether or not it has been submitted and whether or not Tenant has accepted a refund or paid an increase, Tenant may request an audit of Landlord's expenses to be performed by Tenant at Tenant's expense. Landlord shall keep proper books of account and other records pertaining to operating, utility and maintenance costs and make them available at a location reasonably accessible to Tenant, who may inspect and copy all such books and records at all reasonable times to verify actual expenses.

**2.4 Additional Rent.** Any other sum that Tenant is required to pay to Landlord shall be considered additional rent.

**2.5 Rent Commencement.** The rent shall commence on August 1, 2004, and continue through June 30, 2007, unless sooner terminated as hereinafter provided.

### **Section 3. Use of the Premises**

**3.1 Permitted Use.** The Premises shall be used for office and public service use by the District Attorney Support Enforcement and for no other purpose without the consent of Landlord, which consent shall not be unreasonably withheld or delayed.

**3.2 Restrictions on Use.** In connection with the use of the Premises, Tenant shall:

(1) Conform to all applicable laws and regulations of any public authority affecting the premises and the use, and correct at Tenant's own expense any failure of compliance created through Tenant's fault or by reason of Tenant's use, but Tenant shall not be required to make any structural changes to effect such compliance.

(2) Refrain from any activity that would make it impossible to insure the Premises against casualty, would increase the insurance rate, or would prevent Landlord from taking advantage of any ruling of the Oregon Insurance Rating Bureau, or its successor, allowing Landlord to obtain reduced premium rates for long-term fire insurance policies, unless Tenant pays the additional cost of the insurance.

(3) Refrain from any use that would be reasonably offensive to other tenants or owners or users of neighboring premises or that would tend to create a nuisance or damage the reputation of the premises.

(4) Refrain from loading the electrical system or floors beyond the point considered safe by a competent engineer or architect selected by Landlord.

(5) Refrain from making any marks on or attaching any sign, insignia, antenna, aerial, or other device to the exterior or interior walls, windows, or roof of the premises without the written consent of Landlord, which shall not be unreasonably withheld.

**3.3 Hazardous Substances.** Tenant shall not cause or permit any Hazardous Substance to be spilled, leaked, disposed of, or otherwise released on or under the Premises. Tenant may use or otherwise handle on the Premises only those Hazardous Substances typically used or sold in the prudent and safe operation of the Permitted Use specified in Section 3.1. Tenant may store such Hazardous Substances on the Premises only in quantities necessary to satisfy Tenant's reasonably anticipated needs. Tenant shall comply with all Environmental Laws and exercise the highest degree of care in the use, handling, and storage of Hazardous

Substances and shall take all practicable measures to minimize the quantity and toxicity of Hazardous Substances used, handled, or stored on the Premises. Upon the expiration or termination of this Lease, Tenant shall remove all Hazardous Substances from the Premises. The term Environmental Law shall mean any federal, state, or local statute, regulation, or ordinance or any judicial or other governmental order pertaining to the protection of health, safety or the environment. The term Hazardous Substance shall mean any hazardous, toxic, infectious or radioactive substance, waste, and material as defined or listed by any Environmental Law and shall include, without limitation, petroleum oil and its fractions.

**3.4 Parking.** Lease of the Premises does not include on-site parking. Tenant, its employees and clientele will refrain from using parking spaces in the building parking lot which are reserved for the existing State office tenant. Tenant shall not be responsible for unauthorized use of the parking spaces by Tenant's clients.

#### **Section 4. Repairs and Maintenance**

**4.1 Maintenance and Repair of Premises.** Responsibilities for repair and maintenance of the Premises shall be as follows:

(1) Landlord shall perform all necessary maintenance and repairs to the structure, foundation, exterior walls, roof, doors and windows, elevators, emergency lighting, and Lessor-provided fire extinguishers, sidewalks and parking area, which are located on the Premises or the structure in which the Premises are located. Landlord shall maintain the Premises in a hazard free condition and shall repair or replace, if necessary and at Landlord's sole expense, the heating, air conditioning, plumbing, electrical, and lighting systems in the Premises, obtaining required permits and inspections from Codes enforcement authorities. Landlord shall keep the Premises, improvements, grounds, and landscaping in good repair and appearance, replacing dead, damaged or diseased plant materials when Landlord determines the necessity to do so. Carpets shall be repaired and replaced as determined necessary by Landlord. Landlord shall furnish, install and replace all exterior and interior lighting bulbs, ballasts and fluorescent tubes. Landlord shall be given a reasonable time period to complete repairs necessitated under this section. Landlord shall have no liability for failure to perform required maintenance and repair unless written notice of such maintenance or repair is given by tenant or if landlord fails to commence efforts to remedy the problem in a reasonable time and manner.

(2) Tenant shall take good care of the interior of the Premises and at the expiration of the term surrender the Premises broom clean and in as good condition as at the commencement of this Lease, excepting only reasonable wear, permitted alterations, and damage by fire or other casualty.

**4.2 Tenant's Obligations.** The following shall be the responsibility of Tenant:

(1) Any repairs necessitated by the negligence of Tenant, its agents, employees, and invitees, except as provided in Section 6.2 dealing with waiver of subrogation, but including repairs that would otherwise be the responsibility of Landlord under Section 4.1.

(2) Any repairs or alterations required under Tenant's obligation to comply with laws and regulations as set forth in Section 3.2(1).

**4.3 Landlord's Interference with Tenant.** In performing any repairs, replacements, alterations, or other work performed on or around the Premises, Landlord shall not cause unreasonable interference with use of the Premises by Tenant. Tenant shall have neither right to an abatement of rent nor any claim against Landlord for any inconvenience or disturbance resulting from Landlord's activities performed in conformance with the requirement of this provision.

**4.4 Inspection of Premises.** Landlord shall have the right to inspect the Premises at any reasonable time or times to determine the necessity of repair. Whether or not such inspection is made, the duty of Landlord to make repairs shall not mature until a reasonable time after Landlord has received from Tenant written notice of the repairs that are required.

## **Section 5. Alterations**

**5.1 Alterations Prohibited.** Tenant shall make no improvements or alterations on the Premises of any kind without first obtaining Landlord's written consent, which consent shall not be unreasonably withheld or delayed. All alterations shall be made in a good and workmanlike manner, and in compliance with applicable laws and building codes. Requests for alterations shall be made to Landlord in writing from Tenant. Landlord will perform such alterations at Tenant's expense.

**5.2 Tenant Improvements.** Landlord shall construct the tenant improvements described on the attached **Exhibit B** ("Tenant  
Page 6 of 15

Improvements 912 NE Kelly Ave, Suites 260 & 264"). Tenant shall pay Landlord \$42,348 within 30 days upon completion of construction, and acceptance of the work by Tenant. The tenant improvements shall be done in a good and workmanlike manner and shall be to 9<sup>th</sup> & Kelly Building tenant finish standards.

The Landlord will commence construction and complete all tenant improvements by July 31, 2004 as provided in the construction schedule attached as **Exhibit C**.

Tenant shall provide Landlord with a copy of its authorized work order for the tenant improvements, attached as **Exhibit D**.

**5.3 Ownership and Removal of Alterations.** All improvements and alterations performed on the Premises by either Landlord or Tenant shall be the property of Landlord when installed unless the applicable Landlord's consent or work sheet specifically provides otherwise, or by other agreement between Landlord and Tenant. Improvements and alterations installed by Tenant shall, at Landlord's option, be removed by Tenant and the premises restored unless the applicable Landlord's consent or work sheet specifically provides otherwise.

## **Section 6. Insurance**

**6.1 Insurance Required.** Landlord shall keep the Premises insured at Landlord's expense against fire and other risks covered by a standard fire insurance policy with an endorsement for extended coverage. Tenant shall bear the expense of any insurance insuring the property of Tenant on the Premises against such risks but shall not be required to insure.

**6.2 Liability Insurance.** Before going into possession of the Premises, Tenant shall procure and thereafter during the term of the lease shall continue to carry the following insurance at Tenant's cost: commercial general liability policy (occurrence version) in a responsible company with coverage for bodily injury and property damage liability, personal and advertising injury liability, and medical payment with a general aggregate limit of not less than \$1,000,000 and a per occurrence limit of not less than \$1,000,000. Such insurance shall cover all risks arising directly or indirectly out of Tenant's activities on or any condition of the premises whether or not related to an occurrence caused or contributed to by Landlord's negligence. Such insurance shall protect Tenant against the claims of Landlord on account of the obligations assumed by Tenant under Section 10.2, and shall name Landlord as an additional insured.

**6.3 Insurance Documentation; Self-insurance.** Certificates evidencing such insurance and bearing endorsements requiring 30 days' written notice to Landlord prior to any change or cancellation shall be furnished to Landlord prior to Tenant's occupancy of the property. If Tenant is self-insured for liability, in lieu of providing the insurance required by paragraph 6.2, Tenant shall provide a letter to Landlord stating that fact.

**6.4 Waiver of Subrogation.** Neither party shall be liable to the other (or to the other's successors or assigns) for any loss or damage caused by fire or any of the risks enumerated in a standard fire insurance policy with an extended coverage endorsement, and in the event of insured loss, neither party's insurance company shall have a subrogated claim against the other. This waiver shall be valid only if the insurance policy in question expressly permits waiver of subrogation or if the insurance company agrees in writing that such a waiver will not affect coverage under the policies. Each party agrees to use best efforts to obtain such an agreement from its insurer if the policy does not expressly permit a waiver of subrogation.

## **Section 7. Taxes**

**7.1 Property Taxes.** Tenant shall pay as due all taxes on its personal property located on the Premises. Tenant shall, upon invoice from landlord, reimburse Landlord for all real property taxes levied against the Premises.

**7.2 Special Assessments.** If an assessment for a public improvement is made against the Premises, Landlord may elect to cause such assessment to be paid in the maximum number of installments allowed by law, in which case all of the installments payable with respect to the lease term shall be treated the same as general real property taxes for purposes of Section 7.1.

**7.3 Contest of Taxes.** Tenant shall be permitted to contest the amount of any tax or assessment as long as such contest is conducted in a manner that does not cause any risk that Landlord's interest in the Premises will be foreclosed for nonpayment. Landlord shall cooperate in any reasonable manner with such contest by Tenant.

**7.4 Proration of Taxes.** Tenant's share of real property taxes and assessments for the years in which this lease commences or terminates shall be prorated based on the portion of the tax year that this lease is in effect.

**7.5 Exemption from Real Property Taxes.** Tenant is a public Body and is eligible for real property tax exemption as provided for by ORS 307.112, and will apply for said exemption. The rent payable by Tenant under terms of the lease agreement has been established to reflect the savings resulting from the exemption from taxation.

**Section 8. Services and Utilities.**

**8.1 Landlord and Tenant Responsibilities.** Landlord will cause the following utilities and services to be furnished to the Premises: Water, sewer, electricity, gas, garbage service, janitorial service and supplies, interior and exterior window washing and snow and ice removal.

**8.2 Recycling Materials.** Landlord shall support the policy for recycling materials as provided in ORS 279.560 to the extent possible by providing adequate collection areas and storage facilities for office recycling programs when recycling services are available.

**Section 9. Damage and Destruction**

**9.1 Partial Damage.** If the Premises are partly damaged and Section 9.2 does not apply, the Premises shall be repaired by Landlord at Landlord's expense. Repairs shall be accomplished with all reasonable dispatch subject to interruptions and delays from labor disputes and matters beyond the control of Landlord and shall be performed in accordance with the provisions of Section 4.3.

**9.2 Destruction.** If the Premises or the structure are destroyed or damaged such that the cost of repair exceeds twenty-five percent (25%) of the value of the structure before the damage, either party may elect to terminate the lease as of the date of the damage or destruction by notice given to the other in writing not more than 45 days following the date of damage. In such event all rights and obligations of the parties shall cease as of the date of termination, and Tenant shall be entitled to the reimbursement of any prepaid amounts paid by Tenant and attributable to the anticipated term. If neither party elects to terminate, Landlord shall proceed to restore the Premises to substantially the same form as prior to the damage or destruction. Work shall be commenced as soon as reasonably possible and thereafter shall proceed without interruption except

for work stoppages on account of labor disputes and matters beyond Landlord's reasonable control.

**9.3 Rent Abatement.** Rent shall be abated during the repair of any damage to the extent the premises are untenable, except that there shall be no rent abatement where the damage occurred as the result of the fault of Tenant.

**9.4 Damage Late in Term.** If damage or destruction to which Section 9.2 would apply occurs within one year before the end of the then-current lease term, Tenant may elect to terminate the lease by written notice to Landlord given within 30 days after the date of the damage. Such termination shall have the same effect as termination by Landlord under Section 9.2.

## **Section 10. Liability and Indemnity**

### **10.1 Liens**

(1) Except with respect to activities for which Landlord is responsible, Tenant shall pay as due all claims for work done on and for services rendered or material furnished to the Premises, and shall keep the Premises free from any liens. If Tenant fails to pay any such claims or to discharge any lien, Landlord may do so and collect the cost as additional rent. Any amount so added shall bear interest at the rate of 10% per annum from the date expended by Landlord and shall be payable on demand. Such action by Landlord shall not constitute a waiver of any right or remedy which Landlord may have on account of Tenant's default.

(2) Tenant may withhold payment of any claim in connection with a good-faith dispute over the obligation to pay, as long as Landlord's property interests are not jeopardized. If a lien is filed as a result of nonpayment, Tenant shall, within 10 days after knowledge of the filing, secure the discharge of the lien or deposit with Landlord cash or sufficient corporate surety bond or other surety satisfactory to Landlord in an amount sufficient to discharge the lien plus any costs, attorney fees, and other charges that could accrue as a result of a foreclosure or sale under the lien.

**10.2 Indemnification.** Tenant shall indemnify, defend, and hold harmless Landlord from any claim, loss, or liability arising out of or related to any negligent activity of Tenant on the Premises or any condition of the Premises in the possession or

under the control of Tenant. Landlord shall have no liability to Tenant for any injury, loss, or damage caused by third parties, or by any condition of the Premises except to the extent caused by Landlord's negligence or breach of duty under this lease.

**10.3 Oregon Tort Claims Act.** Any covenant herein by the Tenant to defend, indemnify or hold harmless the Landlord, or to assume liability for damages of any kind whatsoever, shall be subject to the provisions of the Oregon Tort Claims Act, ORS 30.260-30.300, and the monetary limits in ORS 30.270.

## **Section 11. Quiet Enjoyment; Mortgage Priority**

### **11.1 Landlord's Warranties.**

(1) Landlord warrants that it is the owner of the Premises and has the right to lease them. Landlord will defend Tenant's right to quiet enjoyment of the Premises from the lawful claims of all persons during the lease term.

(2) Landlord affirms that the Premises, including any common areas within the real property in which the Premises are situated, comply with all applicable regulatory and building codes requirements at the date of execution of the Lease for occupancy by Tenant, for the permitted uses under this Lease, and to the extent enforceable at the date of execution of this lease, meet the requirements of the Americans With Disabilities Act (ADA) for accessibility in accordance with the standards provided in the ADA Accessibility Guidelines for Buildings and Facilities, including accessible parking for the disabled in compliance with ORS 447.233.

(3) Landlord warrants that there are no asbestos containing materials (ACM) within the Premises, including common areas within the real property in which the Premises are situated, or that any such ACM in the Premises have been removed or abated and the Premises have been inspected by a competent inspector, qualified to perform such inspection under applicable law and regulations, and certified as safe from all friable ACM.

## **Section 12. Assignment and Subletting**

No part of the Premises may be assigned, mortgaged, or subleased, nor may a right of use of any portion of the property be conferred on any third person by any other means, without the prior written consent of Landlord which consent shall not be

unreasonably withheld or delayed. This provision shall apply to all transfers by operation of law. No consent in one instance shall prevent the provision from applying to a subsequent instance. In determining whether to consent to assignment Landlord may consider the following factors: financial ability of assignee; use of Premises to be similar to the Use permitted under Section 3.1 of this Lease.

### **Section 13. Default**

The following shall be events of default:

**13.1 Default in Rent.** Failure of Tenant to pay any rent or other charge within 10 days after written notice that it is due.

**13.2 Default in Other Covenants.** Failure of Tenant to comply with any term or condition or fulfill any obligation of the lease (other than the payment of rent or other charges) within 20 days after written notice by Landlord specifying the nature of the default with reasonable particularity. If the default is of such a nature that it cannot be completely remedied within the 20-day period, this provision shall be complied with if Tenant begins correction of the default within the 20-day period and thereafter proceeds with reasonable diligence and in good faith to effect the remedy as soon as practicable.

**13.3 Insolvency.** Insolvency of Tenant; an assignment by Tenant for the benefit of creditors; the filing by Tenant of a voluntary petition in bankruptcy; an adjudication that Tenant is bankrupt or the appointment of a receiver of the properties of Tenant; the filing of any involuntary petition of bankruptcy and failure of Tenant to secure a dismissal of the petition within 30 days after filing; attachment of or the levying of execution on the leasehold interest and failure of Tenant to secure discharge of the attachment or release of the levy of execution within 10 days shall constitute a default. If the lease has been assigned, the events of default so specified shall apply only with respect to the one then exercising the rights of Tenant under the lease.

**Section 14. Remedies on Default.** In the event of default by tenant, the Lease maybe terminated at the option of Landlord by written notice to Tenant. Whether or not the Lease is terminated by the election of Landlord, Landlord shall be entitled to pursue any remedies available to Landlord under applicable law.

### **Section 15. Surrender at Expiration**

**15.1 Condition of Premises.** Upon expiration of the lease term or earlier termination on account of default, Tenant shall deliver all keys to Landlord and surrender the Premises in first-class condition and broom clean. Alterations constructed by Tenant with permission from Landlord shall not be removed or restored to the original condition unless the terms of permission for the alteration so require. Depreciation and wear from ordinary use for the purpose for which the Premises are leased shall be excepted but repairs for which Tenant is responsible shall be completed to the latest practical date prior to such surrender. Tenant's obligations under this section shall be subordinate to the provisions of Section 9 relating to destruction.

### **15.2 Fixtures**

(1) All fixtures placed upon the Premises during the term, other than Tenant's trade fixtures, shall, at Landlord's option, become the property of Landlord. If Landlord so elects, Tenant shall remove any or all fixtures that would otherwise remain the property of Landlord, and shall repair any physical damage resulting from the removal. If Tenant fails to remove such fixtures, Landlord may do so and charge the cost to Tenant with interest at the legal rate from the date of expenditure.

(2) Prior to expiration or other termination of the lease term Tenant shall remove all furnishings, furniture, and trade fixtures that remain its property. If Tenant fails to do so, this shall be an abandonment of the property, and Landlord may retain the property and all rights of Tenant with respect to it shall cease or, by notice in writing given to Tenant within 20 days after removal was required, Landlord may elect to hold Tenant to its obligation of removal. If Landlord elects to require Tenant to remove, Landlord may effect a removal and place the property in public storage for Tenant's account. Tenant shall be liable to Landlord for the cost of removal, transportation to storage, and storage, with interest at the legal rate on all such expenses from the date of expenditure by Landlord.

### **15.3 Holdover**

(1) If Tenant does not vacate the Premises at the time required, Landlord shall have the option to treat Tenant as a tenant from month to month, subject to all of the provisions of this lease except the provisions for term and renewal and rental rate, which Landlord may increase commensurate with increases in operating and maintenance expenses for the Premises. Failure of

Tenant to remove fixtures, furniture, furnishings, or trade fixtures that Tenant is required to remove under this lease shall constitute a failure to vacate to which this section shall apply if the property not removed will substantially interfere with occupancy of the Premises by another tenant or with occupancy by Landlord for any purpose including preparation for a new tenant.

(2) If a month-to-month tenancy results from a holdover by Tenant under this Section 15.3, the tenancy shall be terminable at the end of any monthly rental period on written notice from Landlord given not less than 10 days prior to the termination date which shall be specified in the notice. Tenant waives any notice that would otherwise be provided by law with respect to a month-to-month tenancy.

## **Section 16. Miscellaneous**

**16.1 Nonwaiver.** Waiver by either party of strict performance of any provision of this lease shall not be a waiver of or prejudice the party's right to require strict performance of the same provision in the future or of any other provision.

**16.2 Notices.** Any notice required or permitted under this lease shall be given when actually delivered or 48 hours after deposited in United States mail as certified mail addressed to the address first given in this lease or to such other address as may be specified from time to time by either of the parties in writing.

**16.4 Succession.** Subject to the above-stated limitations on transfer of Tenant's interest, this lease shall be binding on and inure to the benefit of the parties and their respective successors and assigns.

**16.5 Entry for Inspection.** Landlord shall, subject to the provisions of paragraph 4.3, have the right to enter upon the Premises at any time to determine Tenant's compliance with this lease, to make necessary repairs to the building or to the Premises, or to show the Premises to any prospective tenant or purchaser, and in addition shall have the right, at any time during the last two months of the term of this lease, to place and maintain upon the Premises notices for leasing or selling of the Premises. Landlord agrees to give 24 hour written notice to tenant before entry for inspection under this clause.

**16.6 Interest on Rent and Other Charges.** Any rent or other payment required of Tenant by this lease shall, if not paid within 10 days after it is due, bear interest at the rate of ten

percent (10%) per annum (but not in any event at a rate greater than the maximum rate of interest permitted by law) from the due date until paid. In addition, if Tenant fails to make any rent or other payment required by this lease to be paid to Landlord within five days after it is due, Landlord may elect to impose a late charge of five cents per dollar of the overdue payment to reimburse Landlord for the costs of collecting the overdue payment. Tenant shall pay the late charge upon demand by Landlord. Landlord may levy and collect a late charge in addition to all other remedies available for Tenant's default, and collection of a late charge shall not waive the breach caused by the late payment.

**16.7 Proration of Rent.** In the event of commencement or termination of this lease at a time other than the beginning or end of one of the specified rental periods, then the rent shall be prorated as of the date of commencement or termination and in the event of termination for reasons other than default, all prepaid rent shall be refunded to Tenant or paid on its account.

**16.8 Time of Essence.** Time is of the essence of the performance of each of Tenant's obligations under this lease.

**16.9 Early Termination.** Landlord or Tenant may terminate this Lease for any reason with minimum one hundred twenty (120) day written notice to the other prior to the date of termination.

For Landlord:

Steve Busk  
Steve Busk, Owner

Date: 7/14/2004

For Tenant:  
Multnomah County, Oregon

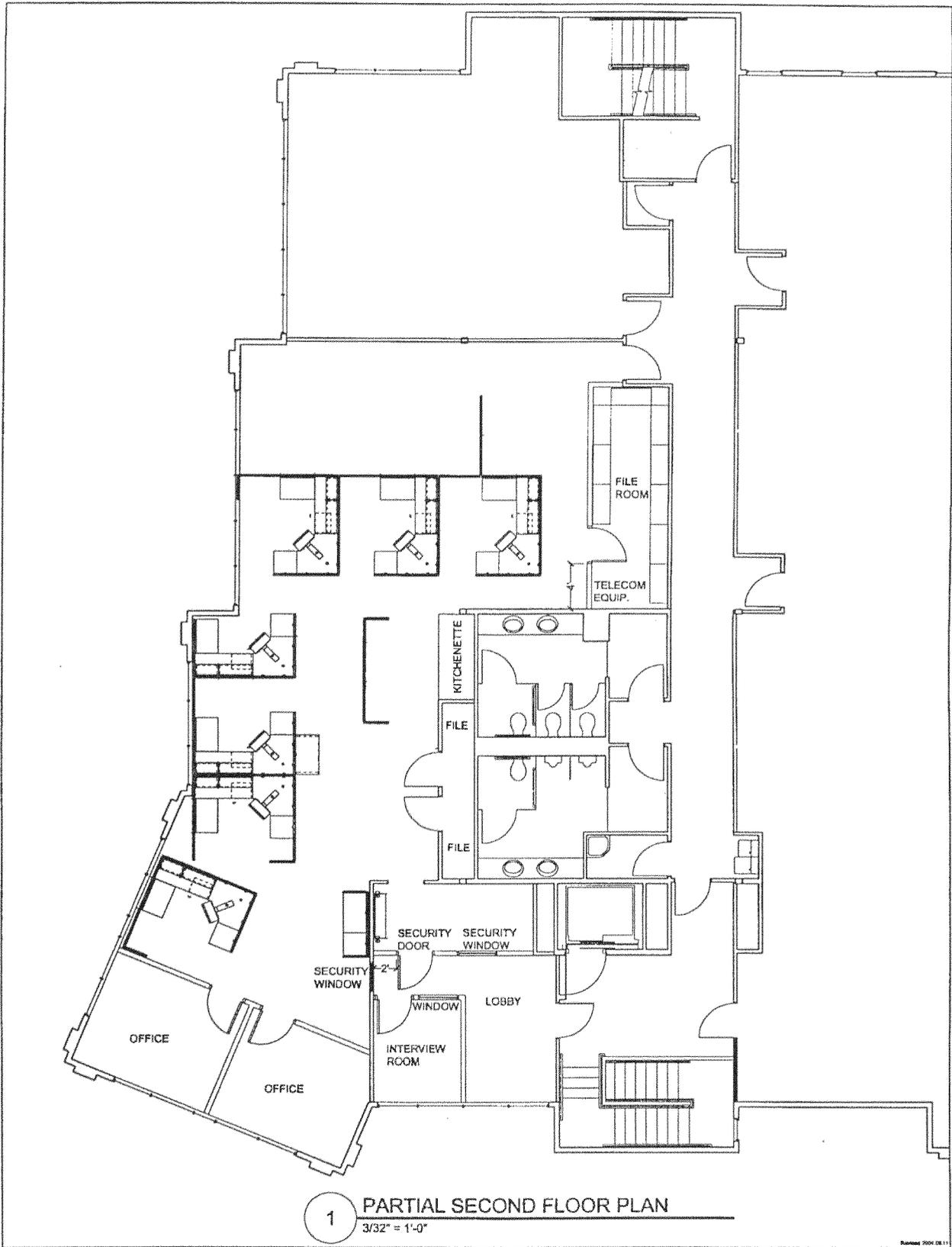
By: Diane M. Linn  
Date: 08.05.04  
By: Diane M. Linn, County Chair

APPROVED: MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # R-2 DATE 08.05.04  
DEBORAH L. BOGSTAD, BOARD CLERK

Reviewed By:

John S. Thomas Date 7/14/04  
John S. Thomas  
Assistant County Attorney for Multnomah County

EXHIBIT A



1 PARTIAL SECOND FLOOR PLAN  
3/32" = 1'-0"

**EXHIBIT B**  
**TENANT IMPROVMENTS**  
**912 NE KELLY AVE.**  
**SUITES 260 & 264**

The following are specifications for the tenant improvements as per the Multnomah County notification:

**Demo and prep:**

Remove and dispose of the demising wall between 260 & 264 suites. Modify the ceiling grid at that intersection to comply with seismic requirements. Supply and install matching carpet where the void will occur.

**Hard wall office separation:**

Supply and install steel studding, insulation and 5/8" sheet rock to create two private office spaces, one interview room, and a secured separation wall at the reception area and a secured file room area as per Sam Lasko's plan. (See Revisions from the original). Insulation will be S&I in the walls and in the ceiling to minimize noise. The file room walls are to extend above the ceiling grid to the roof deck. Both the reception secured wall and the new file wall are to be reinforced on one side with plywood as requested. The wall finish is to be smooth wall with paint to match the existing wall surfaces. All new wall bases to have rubber base to match existing. The two new offices will have doors with 6" by 2' glass fixed in them. The interview room will have a 3' by 4' fixed window on the new north wall. New spaces will be equipped with switches to individually operate the ceiling lights. Lights will be relocated and added for adequate and uniform lighting. (6) New light fixtures will be supplied and installed.

**Kitchenette:**

Owner will supply and install base cabinets and plastic countertop to conform to ADA requirements in the space as per drawing. A 5" deep stainless single sink with single handle valve will be installed as per code. GFCI outlet will be supplied and installed at counter. Microwave and Refrigerator will have outlets and circuits. Tenant will provide appliances. No exhaust venting was requested. Cabinets to have one bank of drawers and the remaining to be doors. Note ADA requires the sink compartment to be exposed. Owner to S&I white tile back splash.

**Electrical and fire alarm:**

Owner to S&I (14) dedicated 20 amp 120 volt branch circuits & receptacles for the following: Computer UPS system, Computer Main Frame, Microwave, under counter Refrigerator, coffee maker, copier, Herman Miller office furniture, file room voice and data and new hard wall space as required. Owner to add (4) new

fire alarm smoke detectors to bring the new space to compliance. (3) New strobes and horns will be S&I to comply. Plenum wiring will be used as required.

**Doors and Locking Hardware:**

New 7'x3' solid core birch doors will be installed where diagramed on the drawing with the addition of another in the reception closet. Two entry area doors will be replaced to conform to the hinging requirement and no glass requirement. The entry / egress doors and the file room will have dead bolt locks. Locking and entry hardware to be levered Falcon series with Schalge C keyways. The keying will be adopted into the master system with the exception of the secured file room key. The file room doors will have metal vents to allow air circulation but disallow unauthorized entry. The secured wall door will have a dedicated circuit ran to it to accommodate a mag lock system provided by the tenant.

**Security Pass thru Window:**

Owner will S&I in the security wall and the adjacent existing wall two Bullet resisting transaction windows using GE Lexgard level 3 material that will meet the Federal regulations. The reception wall window will be four foot in width and three feet high and the adjacent wall to be two foot by three foot. .

**HVAC:**

Return air and conditioned air ductwork and grills will be reconfigured to adapt to the new space as designed.

**Closet Shelving:**

The two existing closet spaces will have shelving installed for the tenant's use. The doors on the closets will be equipped with passage hardware to access smoke dampers.

Herman Miller and other furniture to be supplied by tenant.

Owner to purchase permits and obtains final inspections.

The total of the labor and materials as specified in the above description and the attached drawing is \$42,348.00.

Owner requests a pre-construction conference prior to authorization of the contracted work. Any alterations of the contracted work will require an authorized change order.

Thank you,

Steve Busk,  
Owner / Operator

## EXHIBIT C- CONSTRUCTION SCHEDULE

From: Steve Busk To: Debra Crawford

Date: 6/4/04 Time: 1:32:50 PM

Page 3 of 5

### 912 NE KELLY AVE. SUITES 260 & 264 TENANT IMPROVEMENT CONSTRUCTION SCHEDULE

6-2-2004

Attention: Sam Lasco

I made the revisions as we discussed on site last week. The changes are as follows: Delete one interview room and seven additional ceiling lights above the Herman Miller spaces. Add a second level 3 secured transaction window (4 foot by 3 foot), add a 3 foot by 4 foot fixed window in the remaining interview room, add a dedicated electrical circuit for the secured door at the reception desk to power the mag lock by the County and add two door widows in the new private office spaces.

The tenant improvements will begin upon the Counties execution of an authorized work order and will be completed on or before August 1<sup>st</sup> 2004. The work schedule will commence as follows: Demo, framing and seismic revisions will be completed in the first week. Rough in plumbing and electrical will be complete during the second week. During the third week the wall surfaces will be sheeted and mudded. Finish coats and rubber base will be complete on week four. Cabinetry, windows and doors will be installed the following week. Ceiling tiles and top out of the plumbing and electrical will be done week six with final inspections approved the final week making the move in and operations ready for August 1, 2004.

Thank you,  
Steve Busk, owner

**EXHIBIT D- WORK ORDER**



**F & PM SERVICE REQUEST TEMPLATE**

[FOR ROUTINE MAINTENANCE / REPAIRS CALL 503 988-3779]  
 Required Fields Are Highlighted In **BOLD** Text

<b>DATE:</b> 05/26/04	<b>ORIGINATOR</b> DA'S OFFICE	<b>BLDG/FLOOR</b> 106 / 15	<b>Phone:</b> 988-3610 Mobile #	<b>NEW W/O #</b> (LEAVE BLANK) 2008859
<b>DEPT/DIV</b> DA	<b>SEND BILLING TO:</b> DA'S OFFICE	<b>BLDG/FLOOR</b> 106 / 15	<b>CONTACT ON-SITE:</b> JODI ERICKSON	<b>PHONE:</b> 988-3610
<b>BUILDING NAME:</b> NE 9 <sup>TH</sup> & KELLY-CITY OF GRESHAM			<b>ROOM #</b> 2 <sup>ND</sup> FLR	
<b>BRIEF DESCRIPTION OF WORK REQUESTED:</b> TENANT IMPROVEMENT			<b>REQUESTED COMPLETION DATE:</b> JULY 31, 04	
<b>COST CENTER, WBS ELEMENT, OR ORDER</b> DA SED.66			<b>ADD TO EXISTING ORDER #:</b>	

**WORK REQUESTED: (PLEASE USE ALL CAPS, & NUMBER EACH SEPARATE ITEM)**  
 RELOCATION AND TENANT IMPROVEMENTS COST FROM GRESHAM PUPLIC SAFETY & SCHOOLS BUILDING IN CITY OF GRESHAM TO NEW SITE AT NE 9<sup>TH</sup> & KELLY IN CITY OF GRESHAM. PLEASE SEE ATTACHMENT OF TENANT SPECIFICATIONS. TWO PAGES OF SPECIFICATIONS AND COST, ONE PAGE FLOOR PLAN LAYOUT AND ONE PAGE ON AVT BULLET RESISTING TRANSACTION WINDOW SPECIFICATION.

APPROVED BY: *Jodi Erickson*  
 Operations Administrator 988-3610

**E-MAIL (AS ATTACHMENT) TO FMDISPATCH**  
 SEND ANY DRAWINGS WITH COMPLETED FORM TO BLDG 274/DISPATCH  
 Optional: FAX TO 503 988-6159 (OR X86159)

**FACILITIES & PROPERTY MANAGEMENT USE ONLY:**

<b>REVIEWED BY FSM:</b> SAM LASKO			<b>DATE:</b> 05/26/04	
<b>SVRQ</b> <input checked="" type="checkbox"/>	<b>BASE</b> <input type="checkbox"/>	<b>ESTIMATE ONLY</b> <input type="checkbox"/>	<b>CIP</b> <input type="checkbox"/>	
<b>ASSIGN TO TRADE:</b>	<b>FSM:</b> <input checked="" type="checkbox"/>	<b>PROJECT MGR</b> <input type="checkbox"/>	<b>PLANNING</b> <input type="checkbox"/>	<b>CIP:</b> <input type="checkbox"/>

**COMMENTS:** OWNER TO PROVIDE TENANT IMPROVEMENTS AT CLIENT'S REQUEST.  
 WORK TO BE COMPLETED BY OR BEFORE JULY 31, 2004

# AGENDA PLACEMENT REQUEST

BUD MOD #

**Board Clerk Use Only:**

**Meeting Date: August 5, 2004**

**Agenda Item #: R-3**

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

**Date Submitted: 07/26/04**

---

**Requested Date:** August 5, 2004

**Time Requested:** 5 minutes

**Department:** County Human Services

**Division:** ADS

**Contact/s:** Traci Goff

**Phone:** 503 988-5464

**Ext.:** 83211

**I/O Address:** 166/7

**Presenters:** Mary Shortall

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**Agenda Title:** Notice of Intent to Apply for a Centers for Medicare and Medicaid Services and Administration on Aging Grant

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

---

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

The Department of County Human Services is requesting approval to partner with the Social Services Division, Department of Human Services, Clackamas County (lead applicant), the Department of Aging and Veterans' Services, Washington County, and the Human Services Council, SW WA Agency on Aging in submitting a proposal to the Centers for Medicare and Medicaid Services and Administration on Aging. The Department of County Human Services recommends that this request be approved.

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

The Medicare-approved Drug Discount Card and Transitional Assistance Credit Program was enacted into law on December 8, 2003, as part of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003. Medicare beneficiaries, except for those who have Medicaid drug coverage, now have the opportunity to enroll in a Medicare-approved drug discount card program, which can help to lower their prescription drug

costs. The drug discount cards provide discounts off the regular cash price of prescription drugs.

In addition, beginning in June 2004, Medicare began to provide \$600 in 2004 and will provide up to an additional \$600 in 2005 to Medicare beneficiaries whose incomes are not more than 135 percent of the poverty line (\$12,569 for single individuals or \$16,862 for a married couple in 2004) if they do not have certain other drug coverage.

These new opportunities for Medicare beneficiaries are accompanied by an extraordinary challenge for those who serve them. The benefits of Medicare modernization can only be realized if beneficiaries and their family caregivers are sufficiently informed to make the complex choices that they will face. This challenge is especially significant for older members of minority, low-income, limited English-speaking communities, and for persons with disabilities.

While news stories, ads, high profile events, and other outreach are planned to help build awareness, many beneficiaries and caregivers will continue to rely on trusted local community-based organizations for information on comparing, choosing, and using a drug card. This is particularly true for the low-income beneficiaries who will be eligible for the \$600 credit.

Therefore, to meet the need of informing people about this new benefit, the Multnomah County Aging and Disability Services Division will collaborate with our partners in Washington, Clackamas, and Clark Counties to develop and implement a new outreach and enrollment campaign. This campaign will be targeted toward these four counties' Qualified Medicare Beneficiaries (QMB) and Special Medicare Beneficiaries (SMB). Both of these groups have incomes that are not more than 135 percent of the poverty line and are not eligible for a Medicaid prescription drug program.

Multnomah County's partners for this project will be the Clackamas County Social Services Division (lead applicant), the Washington County Department of Aging and Veteran's Services, and the Southwest Washington Agency on Aging. All four counties will collaborate and assist in the recruitment and support of volunteers to perform community outreach and to enroll eligible persons. The four counties will also review their data to target potential Medicare-approved Drug Discount Card and Transitional Assistance Credit Program enrollees.

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

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

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

- ❖ **Who is the granting agency?** The granting agency is the Centers for Medicare and Medicaid Services and Administration on Aging through Ogilvy Public Relations Worldwide.
- ❖ **Specify grant requirements and goals.** The goal of this RFP is to provide resources to community-based organizations to increase their capacity to help

low-income Medicare beneficiaries learn about and enroll in the Medicare-approved drug discount card program and the transitional assistance credit program. The requirements are to:

- Find Medicare beneficiaries who are likely to be eligible for the Medicare-approved Drug Discount Card and the transitional assistance program;
- Educate them about opportunities to save money;
- Encourage them to seek further assistance; and
- Help them to collect the information they will need to get assistance with enrollment.

- ❖ **Explain grant funding detail – is this a one time only or long term commitment?** This is a one time only grant. The partnership is requesting \$50,000, with Multnomah County receiving \$11,250.
- ❖ **What are the estimated filing timelines?** The proposal is due by 1:00 p.m. on Friday, July 30, 2004.
- ❖ **If a grant, what period does the grant cover?** The grant period is from August 2004 through February 2005.
- ❖ **When the grant expires, what are funding plans?** The project will be complete when the grant ends.
- ❖ **How will the county indirect and departmental overhead costs be covered?** This grant only allows indirect costs for the lead agency (Clackamas County). Therefore, the division will fund any indirect costs related to the project.

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

There are no legal and/or policy issues.

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

The project will involve a collaborative partnership between the Multnomah County Department of Human Services and the Social Services Division, Department of Human Services, Clackamas County (lead applicant), the Department of Aging and Veterans' Services, Washington County, and the Human Services Council, SW WA Agency on Aging.

**Required Signatures:**

**Department/Agency Director:**



**Date: 07/23/04**

**Budget Analyst**

**By:**



**Date: 07/26/04**

**Dept/Countywide HR**

**By:**

**Date:**

**BOGSTAD Deborah L**

**From:** GOFF Traci M  
**Sent:** Monday, July 26, 2004 4:29 PM  
**To:** GOFF Traci M; #ALL DISTRICT 1; #ALL DISTRICT 2; #ALL DISTRICT 3; #ALL DISTRICT 4; #ALL CHAIR'S OFFICE; BOGSTAD Deborah L  
**Cc:** PATE Patricia; SHORTALL Mary E; COSTANZO Rosanne; YAGER Chris D; JASPIN Michael D  
**Subject:** RE: NOI for a CMS/AOA Grant Due Friday, July 30, 2004

Good Afternoon,

As an addendum, I have just received authorization from the Division Manager to submit a companion proposal for a similar Medicare-Approved Drug Discount Outreach and Enrollment program. Only it is submitted to a different agency for a slightly different target population. Again, the timing is problematic to having you review the NOI before the grant is due, as the due date is Monday, August 2nd. I apologize for this inconvenience and will send you a copy of the NOI as soon the Department Director reviews and approves it for Board action.

Thank you for your patience and please let me know if you have any questions or if I can be of any assistance.

Traci Goff  
Development Director  
Department of County Human Services  
421 SW Sixth Avenue, Suite 700  
Portland OR 97204  
(503) 988-5464 ext. 28409  
[traci.goff@co.multnomah.or.us](mailto:traci.goff@co.multnomah.or.us)

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

**From:** GOFF Traci M  
**Sent:** Monday, July 26, 2004 4:16 PM  
**To:** #ALL DISTRICT 1; #ALL DISTRICT 2; #ALL DISTRICT 3; #ALL DISTRICT 4; #ALL CHAIR'S OFFICE; BOGSTAD Deborah L  
**Cc:** PATE Patricia; SHORTALL Mary E; COSTANZO Rosanne; YAGER Chris D; JASPIN Michael D  
**Subject:** NOI for a CMS/AOA Grant Due Friday, July 30, 2004

Enclosed please find a Notice of Intent to apply for a Centers for Medicare and Medicaid Services and Administration on Aging grant. The purpose of this grant is to provide community-based organizations with funds to conduct outreach, to targeted populations, about the new Medicare-Approved Drug Discount card and to assist beneficiaries in enrolling in the program.

To conduct the outreach and enrollment activities, the Department of County Human Services will collaborate with the Social Services Division, Department of Human Services, Clackamas County (lead applicant), the Department of Aging and Veterans' Services, Washington County, and the Human Services Council, SW WA Agency on Aging on submitting a proposal to the Centers for Medicare and Medicaid Services and Administration on Aging. The proposal due date is 1:00 p.m., Friday, July 30, 2004.

We were originally going to present the NOI on July 29<sup>th</sup> Board meeting. Unfortunately, the first available Board meeting is August 5<sup>th</sup>. Because of the schedule, we are not able to present our NOI before we need to submit the proposal. Therefore, I have attached a copy of the NOI for your review before we submit the proposal and have requested to present it at the August 5, 2004 meeting.

If you should have any questions about the proposal or the NOI, please feel free to contact me.

Traci Goff  
Development Director  
Department of County Human Services  
421 SW Sixth Avenue, Suite 700  
Portland OR 97204  
(503) 988-5464 ext. 28409  
[traci.goff@co.multnomah.or.us](mailto:traci.goff@co.multnomah.or.us)

<< File: cms\_aoa\_noi.doc >>

# AGENDA PLACEMENT REQUEST

**BUD MOD DCHS #**

**Board Clerk Use Only:**

**Meeting Date: August 5, 2004**

**Agenda Item #: UC-1**

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

**Date Submitted: 07/29/04**

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**Requested Date:** August 5, 2004

**Time Requested:** 5 minutes

**Department:** County Human Services

**Division:** ADS

**Contact/s:** Traci Goff

**Phone:** 503 988-5464

**Ext.:** 83211

**I/O Address:** 166/3

**Presenters:** Mary Shortall

---

**Agenda Title:** NOTICE OF INTENT to Partner with Washington, Clackamas, and Clark Counties in Submitting a Grant Proposal to the Access to Benefits Coalition

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

- 
- 1. What action are you requesting from the Board? What is the department/agency recommendation?** The Department of County Human Services is requesting approval to partner with the Social Services Division, Department of Human Services, Clackamas County (lead applicant), the Department of Aging and Veterans' Services, Washington County, and the Human Services Council, SW WA Agency on Aging in submitting a proposal to the Access to Benefits Coalition (ABC). The Department of County Human Services recommends that this request be approved.
  - 2. Please provide sufficient background information for the Board and the public to understand this issue.** The Medicare-approved Drug Discount Card and Transitional Assistance Credit Program was enacted into law on December 8, 2003, as part of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003. Medicare beneficiaries, except for those who have Medicaid drug coverage, now have the opportunity to enroll in a Medicare-approved drug discount card program, which can help

to lower their prescription drug costs. The drug discount cards provide discounts off the regular cash price of prescription drugs.

To achieve the law's full potential and to succeed in getting these savings to qualified beneficiaries, we must maximize enrollment in the credit program. In recent years, various agencies, organizations, and foundations have tried to identify and enroll low-income beneficiaries who are eligible, but not receiving, needed benefits from governmental and private programs. Unfortunately, success has been inconsistent and uneven.

Therefore, to meet the need of informing people about this new benefit and enrolling them in the program, the Multnomah County Aging and Disability Services Division will collaborate with our partners in Washington, Clackamas, and Clark Counties to develop and implement a new outreach and enrollment campaign. Multnomah County's partners for this project will be the Clackamas County Social Services Division (lead applicant), the Washington County Department of Aging and Veteran's Services, and the Southwest Washington Agency on Aging. All four counties will:

- Collaborate and assist in the recruitment and support of volunteers to perform community outreach and to enroll eligible persons.
- Develop and implement a media outreach campaign through radio announcements and cable channel shows.
- Conduct community forums in senior centers, libraries, assisted living facilities and meal sites by working with our AAA Contractors.

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

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

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

- ❖ **Who is the granting agency?** The granting agency is the Access to Benefits Coalition (ABC).
- ❖ **Specify grant requirements and goals.** The granting agency's goal is to ensure that by the end of 2005; at least 5.5 million low-income beneficiaries enroll in the Medicare-Approved Drug Discount Card program.
- ❖ **Explain grant funding detail – is this a one time only or long term commitment?** This is a one-time only grant. The partnership is requesting \$40,000, with Multnomah County receiving \$9,000 to conduct outreach activities. This RFP does not require a match.
- ❖ **What are the estimated filing timelines?** The proposal is due by Monday, August 2, 2004.
- ❖ **If a grant, what period does the grant cover?** The project period is September 1, 2004 through August 31, 2005.
- ❖ **When the grant expires, what are funding plans?** The project will be complete when the grant ends.

❖ **How will the county indirect and departmental overhead costs be covered?** This grant only allows indirect costs for the lead agency (Clackamas County). Therefore, the division will fund any indirect costs related to the project.

4. **Explain any legal and/or policy issues.** There are no legal and/or policy issues.
5. **Explain any citizen and/or other government participation that has or will take place.** The project will involve a collaborative partnership between the Multnomah County Department of Human Services and the Social Services Division, Department of Human Services, Clackamas County (lead applicant), the Department of Aging and Veterans' Services, Washington County, and the Human Services Council, SW WA Agency on Aging.

**Required Signatures:**

**Department/Agency Director:**



**Date: 07/28/04**

**Budget Analyst**

**By:**



**Date: 07/30/04**

**Dept/Countywide HR**

**By:**

**Date:**

**BOGSTAD Deborah L**

**From:** GOFF Traci M  
**Sent:** Thursday, July 29, 2004 2:18 PM  
**To:** GOFF Traci M; #ALL DISTRICT 1; #ALL DISTRICT 2; #ALL DISTRICT 3; #ALL DISTRICT 4; #ALL CHAIR'S OFFICE; BOGSTAD Deborah L; #AGENDA REVIEW TEAM  
**Cc:** PATE Patricia; SHORTALL Mary E; COSTANZO Rosanne; YAGER Chris D; JASPIN Michael D  
**Subject:** RE: NOI for a CMS/AOA Grant Due Friday, July 30, 2004

Good Afternoon,

Attached please find the NOI for the Access to Benefits Coalition grant. Please let me know if you have any questions.

Traci Goff  
ext. 28409



abc noi.doc (43  
KB)

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

**From:** GOFF Traci M  
**Sent:** Monday, July 26, 2004 4:29 PM  
**To:** GOFF Traci M; #ALL DISTRICT 1; #ALL DISTRICT 2; #ALL DISTRICT 3; #ALL DISTRICT 4; #ALL CHAIR'S OFFICE; BOGSTAD Deborah L  
**Cc:** PATE Patricia; SHORTALL Mary E; COSTANZO Rosanne; YAGER Chris D; JASPIN Michael D  
**Subject:** RE: NOI for a CMS/AOA Grant Due Friday, July 30, 2004

Good Afternoon,

As an addendum, I have just received authorization from the Division Manager to submit a companion proposal for a similar Medicare-Approved Drug Discount Outreach and Enrollment program. Only it is submitted to a different agency for a slightly different target population. Again, the timing is problematic to having you review the NOI before the grant is due, as the due date is Monday, August 2nd. I apologize for this inconvenience and will send you a copy of the NOI as soon the Department Director reviews and approves it for Board action.

Thank you for your patience and please let me know if you have any questions or if I can be of any assistance.

Traci Goff  
Development Director  
Department of County Human Services  
421 SW Sixth Avenue, Suite 700  
Portland OR 97204  
(503) 988-5464 ext. 28409  
[traci.goff@co.multnomah.or.us](mailto:traci.goff@co.multnomah.or.us)

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

**From:** GOFF Traci M

**Sent:** Monday, July 26, 2004 4:16 PM  
**To:** #ALL DISTRICT 1; #ALL DISTRICT 2; #ALL DISTRICT 3; #ALL DISTRICT 4; #ALL CHAIR'S OFFICE;  
BOGSTAD Deborah L  
**Cc:** PATE Patricia; SHORTALL Mary E; COSTANZO Rosanne; YAGER Chris D; JASPIN Michael D  
**Subject:** NOI for a CMS/AOA Grant Due Friday, July 30, 2004

Enclosed please find a Notice of Intent to apply for a Centers for Medicare and Medicaid Services and Administration on Aging grant. The purpose of this grant is to provide community-based organizations with funds to conduct outreach, to targeted populations, about the new Medicare-Approved Drug Discount card and to assist beneficiaries in enrolling in the program.

To conduct the outreach and enrollment activities, the Department of County Human Services will collaborate with the Social Services Division, Department of Human Services, Clackamas County (lead applicant), the Department of Aging and Veterans' Services, Washington County, and the Human Services Council, SW WA Agency on Aging on submitting a proposal to the Centers for Medicare and Medicaid Services and Administration on Aging. The proposal due date is 1:00 p.m., Friday, July 30, 2004.

We were originally going to present the NOI on July 29<sup>th</sup> Board meeting. Unfortunately, the first available Board meeting is August 5<sup>th</sup>. Because of the schedule, we are not able to present our NOI before we need to submit the proposal. Therefore, I have attached a copy of the NOI for your review before we submit the proposal and have requested to present it at the August 5, 2004 meeting.

If you should have any questions about the proposal or the NOI, please feel free to contact me.

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<< File: cms aoa noi.doc >>

**AUGUST 5, 2004 UNANIMOUS CONSENT ITEM FOR IMMEDIATELY FOLLOWING R-3**

**MAY I HAVE A MOTION FOR CONSIDERATION OF A UNANIMOUS CONSENT ITEM?**

**COMMISSIONER \_\_\_\_\_ MOVES  
COMMISSIONER \_\_\_\_\_ SECONDS  
CONSIDERATION OF A UNANIMOUS  
CONSENT ITEM**

**ALL IN FAVOR, VOTE AYE,  
OPPOSED \_\_\_?  
THE MOTION FAILS  
OR  
THE CONSIDERATION IS APPROVED**

UC-1 NOTICE OF INTENT to Partner with Washington, Clackamas, and Clark Counties in Submitting a Grant Proposal to the Access to Benefits Coalition

**COMMISSIONER \_\_\_\_\_ MOVES  
COMMISSIONER \_\_\_\_\_ SECONDS  
APPROVAL OF UC-1**

**MARY SHORTALL EXPLANATION AND  
RESPONSE TO BOARD QUESTIONS**

**OPPORTUNITY FOR PUBLIC TESTIMONY**

**OPPORTUNITY FOR BOARD COMMENTS**

**ALL IN FAVOR, VOTE AYE,  
OPPOSED \_\_\_?**

**THE MOTION FAILS  
OR  
THE NOTICE OF INTENT IS APPROVED**

# AGENDA PLACEMENT REQUEST

BUD MOD #: HD-05-01

APPROVED : MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # R-4 DATE 08-05-04  
DEBORAH L. BOGSTAD, BOARD CLERK

**Board Clerk Use Only:**

Meeting Date: August 5, 2004  
Agenda Item #: R-4  
Est. Start Time: 9:45 AM  
Date Submitted: July 28, 2004

**Requested Date: August 5, 2004**

**Time Requested: 5 minutes**

**Department: Health**

**Division: Business Services**

**Contact/s: Wendy Lear**

**Phone: 503.988.3056**

**Ext.: x27574**

**I/O Address: 160/14**

**Presenters: Wendy Lear, Finance Manager Health Department**

**Agenda Title: Budget Modification HD-05-01 Approving Exempt Position Reclassification**

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

- 1. What action are you requesting from the Board? What is the department/agency recommendation?**  
Approval to reclassify an already funded and budgeted position.
- 2. Please provide sufficient background information for the Board and the public to understand this issue.**  
The Health Department is recruiting for a new Budget Manager. The Budget Manager position, currently in our budget is classified as an exempt Budget Analyst Senior. At the request of the Budget Office, we requested a reclassification of this position to an exempt Finance Supervisor. The Budget Analyst Senior classification was intended for use only in the central Budget Office, and was used by the Department historically, in error.  
  
Other Department's use the Finance Supervisor classification for the Budget Manager work, so this recruitment would be comparable to similar positions in the County. Class Compensation has reviewed and approved the classification.
- 3. Explain the fiscal impact (current year and ongoing).**

The budget impact is neutral for several years, since the classifications have the same starting salary. The Finance Supervisor maximum salary is \$3,200 higher than the Budget Analyst Senior.

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

**If a budget modification, explain:**

- ❖ **What revenue is being changed and why? None.**
- ❖ **What budgets are increased/decreased? None**
- ❖ **What do the changes accomplish? Allows the department to recruit in the correct personnel classification.**
- ❖ **Do any personnel actions result from this budget modification? Explain.**  
Yes—an existing position is reclassified.
- ❖ **Is the revenue one-time-only in nature? N/A**
- ❖ **If a grant, what period does the grant cover? N/A**
- ❖ **When the grant expires, what are funding plans? N/A**

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

**If a contingency request, explain:**

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

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

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

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

**Required Signatures:**

*Lillian Shuly*

Department/Agency Director: \_\_\_\_\_ Date: 07/23/04

Budget Analyst

*Debra*

By: \_\_\_\_\_ Date: 07/28/04

Dept/Countywide HR

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

**5. ANNUALIZED PERSONNEL CHANGE**

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

						ANNUALIZED			
Fund	Job #	HR Org Unit	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
1000	9730	61221	BUDGET ANALYST/SENIOR		(1.00)	(54,449)	(15,692)	(11,854)	(81,995)
1000	9335	61221	FINANCE SUPERVISOR		1.00	54,449	15,692	11,854	81,995
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
<b>TOTAL ANNUALIZED CHANGES</b>					<b>0.00</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**6. CURRENT YEAR PERSONNEL DOLLAR CHANGE**

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

						CURRENT YEAR			
Fund	Job #	HR Org Unit	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
1000	9730	61221	BUDGET ANALYST/SENIOR						0
1000	9335	61221	FINANCE SUPERVISOR						0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
<b>TOTAL CURRENT FY CHANGES</b>					<b>0.00</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**BOGSTAD Deborah L**

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**From:** FARRELL Delma D  
**Sent:** Monday, July 26, 2004 9:00 AM  
**To:** BOGSTAD Deborah L  
**Subject:** FW: Agenda Placement for recruitment

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

**From:** DARGAN Karyne A  
**Sent:** Friday, July 23, 2004 3:03 PM  
**To:** LEAR Wendy R; #AGENDA REVIEW TEAM  
**Cc:** FORD Carol M  
**Subject:** RE: Agenda Placement for recruitment

ART-

I strongly recommend that this reclassification be expedited. This position needs to be up and running as quickly as possible due to the impending midyear process. The department will still have to go through the recruitment and hiring process, so if we can shave off several weeks at this end, it will help the department hire that position all the sooner.

Thank you  
Karyne

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

**From:** LEAR Wendy R  
**Sent:** Friday, July 23, 2004 2:59 PM  
**To:** #AGENDA REVIEW TEAM  
**Cc:** FORD Carol M  
**Subject:** Agenda Placement for recruitment

Attached is an agenda placement and budget modification form for a reclassification. I am requesting an expedited process for getting this on the Board agenda, so that I may begin the recruitment. This is a budget position being reclassified at the Budget Offices' request. The Department's need to fill this is urgent as it is the position responsible for managing our budget process. With a mid-year ITAX sunset process beginning, we need to have this position filled quickly.

Thank you for your consideration. If we could have this on the Agenda for the week of August 2, it would be appreciated.

*Thank you...Wendy Lear  
Multnomah County Health Department  
Finance Manager  
503.988.3056 x27574*

7/28/2004

# AGENDA PLACEMENT REQUEST

BUD MOD #:

**Board Clerk Use Only:**

**Meeting Date: August 5, 2004**

**Agenda Item #: R-5**

**Est. Start Time: 9:50 AM**

**Date Submitted: 07/28/04**

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**Requested Date: 8/5/2004**

**Time Requested: 10 minutes**

**Department: Library**

**Division: Outreach Services**

**Contact/s: Becky Cobb**

**Phone: 503 988-5499**

**Ext.: 85499**

**I/O Address: 317/Lib. Sup. Svc.**

**Presenters: Ellen Fader/Renea Arnold**

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**Agenda Title: NOTICE OF INTENT to Apply for Library Services and Technology Act (LSTA) Grant through Oregon State Library, "Planning For a Statewide Early Literacy Initiative" Project**

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

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

The Department of Libraries requests approval to apply for a grant through Oregon State Library titled "Planning for a Statewide Early Literacy Initiative"

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

Children who start school behind typically stay behind. Their lives are at risk. In Oregon, the most recent *Children First for Oregon Report Card* assigns a C+ to the category of early care and education, despite ongoing research confirming the importance of print rich environments, early literacy activities, and early exposure to reading in the development of literate children who are ready to succeed in school. Oregon's public libraries have the ability to greatly impact the early reading experiences of preschool children by reaching thousands of parents, caregivers, and children. However, a lack of statewide coordinated efforts, hesitancy by public librarians to take a leadership role as promoters of early literacy skills, staff inexperience regarding how best to train parents

and caregivers in these skills, unstable funding, and a widespread uncertainty about how to use the many evidence-based approaches, hampers consistent improvement in positive reading outcomes for Oregon's children.

This project will develop a coordinated statewide early literacy initiative plan featuring public libraries as the community leaders in helping prepare Oregon's children for success in reading.

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

The costs for this one-year grant are estimated to be \$131,592. The Department of Libraries will request \$79,779. Local source or in-kind contribution will fund the balance. In addition to providing meeting facilities, local source support by participating key stakeholders include paying for their Project Advisors to attend monthly planning meetings. Total local source support estimates to be \$51,813.

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

❖ **Who is the granting agency?**

The granting agency is the Oregon State Library.

❖ **Specify grant requirements and goals.**

**LSTA Goal 4:** "Develop public and private partnerships with other agencies and community-based organizations" to achieve **high-level outcome 4**, "Oregon citizens experience improved library service through sustainable, cooperative partnerships between libraries and other agencies." Also **LSTA Goal 6:** "Target library and information services to persons having difficulty..." to achieve **high-level outcome 6**, "All Oregonians have access to excellent tax-supported library service regardless of age, location, or economic status."

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

This is a one-year planning grant.

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

The final proposal is due August 13, 2004.

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

The grant covers January – December 2005.

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

The planning initiative will conclude at the end of the one-year period.

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

The overhead costs are covered by the grant.

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

N/A

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

This project will team with the Oregon State Library Youth Services Consultant to identify 15 early literacy experts, Project Advisors, in Oregon. Project advisors will represent five regional areas in Oregon; some advisors will come from libraries and some other social service agencies such as Head Start, Even Start, and the Oregon Department of Education.

**Required Signatures:**



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

**Date:** 07/28/04

**Budget Analyst**



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

**Date:** 07/28/04

**Dept/Countywide HR**

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

**Date:**