

ANNOTATED MINUTES

Tuesday, October 5, 1999 - 9:30 AM
Multnomah County Courthouse, Boardroom 602
1021 SW Fourth Avenue, Portland

Chair Beverly Stein convened the meeting at 9:31 a.m., with Vice-Chair Diane Linn, Commissioners Sharron Kelley, Lisa Naito and Serena Cruz present.

BOARD BRIEFINGS

- B-1 Update on Final Legislative Action on the Oregon Health Plan and the Oregon Safety Net Grant Program, the Impact of this Action on the Local Community's Health Care Safety Net, and Recommendations for Multnomah County Response. Presented by Lillian Shirley, Gary Oxman and Invited Others.

LILLIAN SHIRLEY, TOM FRONK, KATHLEEN FULLER-POE, GARY OXMAN, JOHN DUKE, MARGE JOZSA AND SHARON ARMSTRONG PRESENTATIONS AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION. BOARD CONSENSUS TO KEEP \$500,000 IN CONTINGENCY AT THIS TIME.

The briefing was recessed at 10:40 a.m. and reconvened at 10:50 a.m.

- B-2 Metro Urban Growth Boundary Policy Discussion. Presented by Lisa Naito, Elaine Wilkerson, Mary Kyle McCurdy and Kelly Ross.

LISA NAITO, ELAINE WILKERSON, MARY KYLE MCCURDY, KELLY ROSS AND LYDIA NEILL PRESENTATIONS AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION.

Chair Stein was excused at 11:50 a.m.

There being no further business, the meeting was adjourned at 12:02 p.m.

Thursday, October 7, 1999 - 9:00 AM
Multnomah County Courthouse, Boardroom 602
1021 SW Fourth Avenue, Portland

BOARD BRIEFING

Chair Beverly Stein convened the meeting at 9:00 a.m., with Vice-Chair Diane Linn, Commissioners Sharron Kelley and Serena Cruz present, and Commissioner Lisa Naito arriving at 9:03 a.m.

- B-3 1999 Progress-to-Date Report for Multnomah County's Strategic Investment Program with LSI Logic Corporation and the City of Gresham. Presented by John Rakowitz, Duke Shepard and Invited Others.

JOHN RAKOWITZ, DUKE SHEPARD, ANNETTE JOHNSTON AND JAYNEE NICKS AND ROB FUSSELL PRESENTATIONS AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION.

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

REGULAR MEETING

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

CONSENT CALENDAR

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER LINN, THE CONSENT CALENDAR (ITEMS C-1 THROUGH C-7) WAS UNANIMOUSLY APPROVED.

NON-DEPARTMENTAL

- C-1 Appointment of Joanne Fairchild to the DUII COMMUNITY ADVISORY BOARD

DEPARTMENT OF ENVIRONMENTAL SERVICES

C-2 RESOLUTION Authorizing Execution of Deed D001654 for Repurchase of Tax Foreclosed Property to Former Owners Shirl D. Lomax and David J. Lomax

RESOLUTION 99-191.

C-3 RESOLUTION Authorizing Execution of Deed D001662 for Repurchase of Tax Foreclosed Property to Former Owner Lori R. Jacobs

RESOLUTION 99-192.

C-4 RESOLUTION Authorizing Execution of Deed D001663 for Repurchase of Tax Foreclosed Property to Former Owner Calvin B. Austin and Lois B. Austin

RESOLUTION 99-193.

C-5 RESOLUTION Authorizing Execution of Deed D001664 Upon Complete Performance of a Contract with Marijan Skoro and Mila Skoro

RESOLUTION 99-194.

C-6 RESOLUTION Authorizing Execution of Deed D001665 Upon Complete Performance of a Contract with Marijan Skoro and Mila Skoro

RESOLUTION 99-195.

C-7 RESOLUTION Authorizing Execution of Deed D001666 Upon Complete Performance of a Contract with Marijan Skoro and Mila Skoro

RESOLUTION 99-196.

REGULAR AGENDA

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

DEPARTMENT OF ENVIRONMENTAL SERVICES

UC-1 RESOLUTION Authorizing Execution of Amendment 4 to Lease Agreement 301615-8 with American Property Management for Children and Family Services Space at the Commonwealth Building

COMMISSIONER KELLEY MOVED AND COMMISSIONER LINN SECONDED, APPROVAL OF UC-1. JENNIFER DE HARO EXPLANATION AND ATTEMPT TO RESPOND TO BOARD QUESTIONS. FOLLOWING DISCUSSION AND UPON MOTION OF COMMISSIONER CRUZ, SECONDED BY COMMISSIONER NAITO, THE RESOLUTION WAS UNANIMOUSLY CONTINUED TO THURSDAY, OCTOBER 14, 1999. CHAIR STEIN DIRECTED STAFF TO RESPOND TO BOARD QUESTIONS PRIOR TO THE NEXT MEETING.

PUBLIC COMMENT

R-1 Opportunity for Public Comment on Non-Agenda Matters. Testimony Limited to Three Minutes Per Person.

ROGER TROEN COMMENTS IN OPPOSITION TO ANIMAL CONTROL AND PET EUTHANASIA POLICIES AND IN SUPPORT OF PRIVATE CITIZEN ADOPTION EFFORTS.

NON-DEPARTMENTAL

R-2 RESOLUTION Authorizing Condemnation of Real Property Necessary for Construction of the Hillsdale Branch Library

COMMISSIONER KELLEY MOVED AND COMMISSIONER LINN SECONDED, APPROVAL OF R-2. GINNIE COOPER EXPLANATION. COMMISSIONER LINN EXPLANATION AND COMMENTS IN SUPPORT. WESLEY RISHER TESTIMONY IN SUPPORT. COMMISSIONER LINN RESPONSE TO BOARD QUESTION REGARDING COMMUNICATION WITH PROPERTY OWNER. COUNTY COUNSEL TOM SPONSER RESPONSE TO QUESTION OF COMMISSIONER NAITO REGARDING NECESSITY FOR ENVIRONMENTAL CLEAN UP. RICK

SEIFERT TESTIMONY IN SUPPORT. COMMISSIONER CRUZ COMMENTS IN SUPPORT. COMMISSIONER LINN COMMENTS REGARDING CLEAN UP. COUNTY COUNSEL JOHN THOMAS REPORTED ON STATUS OF NEGOTIATIONS WITH PROPERTY OWNER AND RESPONSE TO BOARD QUESTIONS REGARDING LEVEL 2 STUDY, CLEAN UP COSTS, PROPERTY OWNER RESPONSIBILITY AND CONDEMNATION PROCESS. BOARD COMMENTS IN SUPPORT. RESOLUTION 99-197 UNANIMOUSLY APPROVED.

Commissioner Linn was excused at 10:07 a.m.

DEPARTMENT OF LIBRARY SERVICES

R-3 Results from RESULTS: Reopening Library Branches. Presented by Michael Brown, Janet Schmidt, Carol Uhte, Sharon Stack, Elizabeth Rothery and Gail DesGranges

ELIZABETH ROTHERY, JANET SCHMIDT, MIKE BROWN, SHARON STACK, GAIL DESGRANGES AND CAROL UHTE PRESENTATION AND RESPONSE TO BOARD COMMENTS IN SUPPORT.

DEPARTMENT OF COMMUNITY AND FAMILY SERVICES

R-4 PUBLIC HEARING and Consideration of an ORDER Approving the Transfer of Tax-Foreclosed Properties to Non-Profit Housing Sponsors for Low Income Housing Purposes

COMMISSIONER KELLEY MOVED AND COMMISSIONER NAITO SECONDED, APPROVAL OF R-4. CECILE PITTS EXPLANATION. JOSÈ RIVERA OF HACIENDA CDC TESTIMONY REQUESTING REVIEW AND POSSIBLE CHANGE OF THE SELECTION PROCESS. DOUG GLANCY OF REACH COMMUNITY DEVELOPMENT TESTIMONY IN SUPPORT OF TRANSFER. GALEN SLOAN TESTIMONY REQUESTING BOARD TO ALLOW REPURCHASE OF TAX FORECLOSED PROPERTY AT 4525 NE GRAND TO FAMILY MEMBER. JACK KELLY OF JUBILEE

COMMUNITIES TESTIMONY IN SUPPORT OF TRANSFER. NICK SAUVIE OF ROSE CDC TESTIMONY IN SUPPORT OF TRANSFER. CYNTHIA WINTER OF HABITAT FOR HUMANITY TESTIMONY IN SUPPORT OF TRANSFER. PETER WILCOX OF PORTLAND COMMUNITY DESIGN TESTIMONY IN SUPPORT OF TRANSFER AND IN APPRECIATION OF CECILE PITTS AND HC TUPPER. HELEN BARNEY OF HOUSING AUTHORITY OF PORTLAND TESTIMONY IN SUPPORT OF TRANSFER. COMMISSIONER CRUZ COMMENTS IN RESPONSE TO MR. SLOAN'S REQUEST, ADVISING HER STAFF RESEARCHED HIS RELATIVE'S TAX FORECLOSURE PROCESS AND FEELS THE PARTIES WERE FAIRLY TREATED AND GIVEN AMPLE OPPORTUNITIES TO REPURCHASE THE PROPERTY. COMMISSIONER CRUZ COMMENTS IN SUPPORT OF REQUEST MADE BY MR. RIVERA OF HACIENDA CDC. CHAIR STEIN COMMENTS IN SUPPORT OF LOOKING AT POLICY CHANGES. AT THE REQUEST OF CHAIR STEIN, MARY LI EXPLAINED THAT EFFORTS HAVE BEGUN TO MAKE SURE FUTURE PROCESSES ARE NOT NEGATIVELY IMPACTED, AND THAT THE COUNTY WILL LOOK FOR A SPECIFIC NE PROJECT TO PARTNER WITH HACIENDA CDC. COMMISSIONER NAITO COMMENTS IN SUPPORT OF AFFORDABLE HOUSING. COMMISSIONER KELLEY COMMENTS URGING BOARD TO LOOK AT FORECLOSURE PROCESS AND DEVELOP CRITERIA FOR OR CLOSE THE THIRTY DAY WINDOW LOOP. COMMISSIONER CRUZ COMMENTS IN SUPPORT OF AFFORDABLE HOUSING. CHAIR STEIN COMMENTS IN RESPONSE TO MR. SLOAN'S REQUEST, ADVISING THERE IS A TAX FORECLOSURE PROCESS IN PLACE AND IT WOULD NOT BE FAIR TO MULTNOMAH COUNTY CITIZENS TO DISREGARD THAT. ORDER 99-198 UNANIMOUSLY APPROVED.

DEPARTMENT OF SUPPORT SERVICES

R-5 Supplemental Budget Modification DSS 02 Approving Expenditure of \$8,997,389 and Authorizing Three Permanent Full Time Positions and Two Limited Duration Positions to Implement the Integrated Enterprise System

COMMISSIONER KELLEY MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF R-5. VICKIE GATES EXPLANATION AND RESPONSE TO BOARD QUESTIONS. BUDGET MODIFICATION UNANIMOUSLY APPROVED.

COMMISSIONER COMMENT/LEGISLATIVE ISSUES

R-6 Opportunity (as Time Allows) for Commissioners to Comment on Non-Agenda Items or to Discuss Legislative Issues.

NO ONE WISHED TO COMMENT.

Thursday, October 7, 1999 - 11:10 AM
Multnomah County Courthouse, Boardroom 602
1021 SW Fourth Avenue, Portland

LAND USE PLANNING MEETING

P-1 De Novo Hearing Regarding Hearings Officer Decision Denying SEC 39-98 for Property Located in the Commercial Forest Use Zoning District. TESTIMONY LIMITED TO 20 MINUTES PER SIDE.

AT THE WRITTEN REQUEST OF APPELLANTS' ATTORNEY GRANTING AN EXTENSION IN THIS MATTER, AND UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER CRUZ, IT WAS UNANIMOUSLY APPROVED THAT THE DE NOVO HEARING IN THIS MATTER BE RESET TO 11:00 AM, THURSDAY, DECEMBER 9, 1999, WITH TESTIMONY LIMITED TO 20 MINUTES PER SIDE.

There being no further business, the regular meeting was adjourned and the briefing was convened at 11:15 a.m.

Thursday, October 7, 1999 - 10:25 AM
(OR IMMEDIATELY FOLLOWING REGULAR MEETING)
Multnomah County Courthouse, Boardroom 602
1021 SW Fourth Avenue, Portland

BOARD BRIEFING

B-4 Public Safety Levy Planning Framework: Proposal for Overall Approach, Timing, Options for Length and Amount, Public Involvement, Decision-Making Process, Schedule. Presented by Dave Warren and Carol Ford.

DAVE WARREN, MEL HEDGPETH, ELYSE CLAWSON AND CAROL FORD PRESENTATIONS AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION. BOARD CONSENSUS TO SCHEDULE A JOINT MEETING WITH CITY OF PORTLAND TO DISCUSS LEVY ISSUES. BOARD CONSENSUS TO LOOK AT PUBLIC SAFETY CONTINUUM APPROACH AND PREVENTION AND EARLY INTERVENTION OPPORTUNITIES.

There being no further business, the briefing was adjourned at 11:55 a.m.

OFFICE OF THE BOARD CLERK
FOR MULTNOMAH COUNTY, OREGON

Deborah L. Bogstad

Deborah L. Bogstad



Multnomah County Oregon

Board of Commissioners & Agenda

connecting citizens with information and services

BOARD OF COMMISSIONERS

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

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

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

OCTOBER 5 & 7, 1999

BOARD MEETINGS

FASTLOOK AGENDA ITEMS OF INTEREST

| | |
|----------|--|
| Pg. 2 | 9:30 a.m. Tuesday OHP/Safety Net Clinics Briefing |
| Pg. 2 | 10:30 a.m. Tuesday Metro Urban Growth Boundary Policy Discussion |
| Pg. 2 | 9:00 a.m. Thursday Strategic Investment Program Briefing |
| Pg. 3 | 9:30 a.m. Thursday Condemnation of Property for Construction of Hillsdale Branch Library |
| Pg. 3 | 9:45 a.m. Thursday DLS RESULTS Presentation |
| Pg. 4 | 9:55 a.m. Thursday Recommendations of Affordable Housing Development Program Committee |
| Pg. 4 | 10:25 a.m. Thursday Public Safety Levy Planning Framework Discussion |
| Pg. 4 | 11:10 a.m. Thursday De Novo Hearing |

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

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

Friday, 10:00 PM, Channel 30

Sunday, 1:00 PM, Channel 30

Produced through Multnomah Community Television

Tuesday, October 5, 1999 - 9:30 AM
Multnomah County Courthouse, Boardroom 602
1021 SW Fourth Avenue, Portland

BOARD BRIEFINGS

- B-1 Update on Final Legislative Action on the Oregon Health Plan and the Oregon Safety Net Grant Program, the Impact of this Action on the Local Community's Health Care Safety Net, and Recommendations for Multnomah County Response. Presented by Lillian Shirley, Gary Oxman and Invited Others. 90 MINUTES REQUESTED.
- B-2 Metro Urban Growth Boundary Policy Discussion. Presented by Lisa Naito, Elaine Wilkerson, Mary Kyle McCurdy and Kelly Ross. 1 HOUR REQUESTED.
-

Thursday, October 7, 1999 - 9:00 AM
Multnomah County Courthouse, Boardroom 602
1021 SW Fourth Avenue, Portland

BOARD BRIEFING

- B-3 1999 Progress-to-Date Report for Multnomah County's Strategic Investment Program with LSI Logic Corporation and the City of Gresham. Presented by John Rakowitz, Duke Shepard and Invited Others. 30 MINUTES REQUESTED.
-

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

REGULAR MEETING

CONSENT CALENDAR - 9:30 AM

NON-DEPARTMENTAL

- C-1 Appointment of Joanne Fairchild to the DUII COMMUNITY ADVISORY BOARD

DEPARTMENT OF ENVIRONMENTAL SERVICES

- C-2 RESOLUTION Authorizing Execution of Deed D001654 for Repurchase of Tax Foreclosed Property to Former Owners Shirl D. Lomax and David J. Lomax
- C-3 RESOLUTION Authorizing Execution of Deed D001662 for Repurchase of Tax Foreclosed Property to Former Owner Lori R. Jacobs
- C-4 RESOLUTION Authorizing Execution of Deed D001663 for Repurchase of Tax Foreclosed Property to Former Owner Calvin B. Austin and Lois B. Austin
- C-5 RESOLUTION Authorizing Execution of Deed D001664 Upon Complete Performance of a Contract with Marijan Skoro and Mila Skoro
- C-6 RESOLUTION Authorizing Execution of Deed D001665 Upon Complete Performance of a Contract with Marijan Skoro and Mila Skoro
- C-7 RESOLUTION Authorizing Execution of Deed D001666 Upon Complete Performance of a Contract with Marijan Skoro and Mila Skoro

REGULAR AGENDA

PUBLIC COMMENT - 9:30 AM

- R-1 Opportunity for Public Comment on Non-Agenda Matters. Testimony Limited to Three Minutes Per Person.

NON-DEPARTMENTAL - 9:30 AM

- R-2 RESOLUTION Authorizing Condemnation of Real Property Necessary for Construction of the Hillsdale Branch Library

DEPARTMENT OF LIBRARY SERVICES - 9:45 AM

- R-3 Results from RESULTS: Reopening Library Branches. Presented by Michael Brown, Janet Schmidt, Carol Uhte, Sharon Stack, Elizabeth Rothery and Gail DesGranges

DEPARTMENT OF COMMUNITY AND FAMILY SERVICES - 9:55 AM

R-4 PUBLIC HEARING and Consideration of an ORDER Approving the Transfer of Tax-Foreclosed Properties to Non-Profit Housing Sponsors for Low Income Housing Purposes

DEPARTMENT OF SUPPORT SERVICES - 10:20 AM

R-5 Supplemental Budget Modification DSS 02 Approving Expenditure of \$8,997,389 and Authorizing Three Permanent Full Time Positions and Two Limited Duration Positions to Implement the Integrated Enterprise System

COMMISSIONER COMMENT/LEGISLATIVE ISSUES - 10:25 AM

R-6 Opportunity (as Time Allows) for Commissioners to Comment on Non-Agenda Items or to Discuss Legislative Issues.

Thursday, October 7, 1999 - 10:25 AM
(OR IMMEDIATELY FOLLOWING REGULAR MEETING)
Multnomah County Courthouse, Boardroom 602
1021 SW Fourth Avenue, Portland

BOARD BRIEFING

B-4 Public Safety Levy Planning Framework: Proposal for Overall Approach, Timing, Options for Length and Amount, Public Involvement, Decision-Making Process, Schedule. Presented by Dave Warren and Carol Ford. 45 MINUTES REQUESTED.

Thursday, October 7, 1999 - 11:10 AM
Multnomah County Courthouse, Boardroom 602
1021 SW Fourth Avenue, Portland

LAND USE PLANNING MEETING

P-1 De Novo Hearing Regarding Hearings Officer Decision Denying SEC 39-98 for Property Located in the Commercial Forest Use Zoning District. TESTIMONY LIMITED TO 20 MINUTES PER SIDE.



Diane Linn, Multnomah County Commissioner
DISTRICT ONE

MEMORANDUM

TO: Chair Beverly Stein
Commissioner Serena Cruz
Commissioner Lisa Naito
Commissioner Sharron Kelley
Board Clerk Deb Bogstad

FROM: Beckie Lee
Staff to Commissioner Diane Linn

DATE: September 21st, 1999

RE: Board Meeting Absences

99 SEP 22 AM 8:40
MULTNOMAH COUNTY
OREGON
COUNTY COMMISSIONERS

Commissioner Linn will be unable to attend the Board Meeting on Thursday, October 7th as she will be attending the Pacific Program Alumni Training in Bend.

(ATTENDED FROM 9:00
to 10:07)



MEETING DATE: OCT 07 1999
AGENDA NO: B-3
ESTIMATED START TIME: 9:00

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Strategic Investment Program Annual Briefing

BOARD BRIEFING:

DATE REQUESTED: 10/7/99

REQUESTED BY: Chair Stein

AMOUNT OF TIME NEEDED: 30 Min.

REGULAR MEETING:

DATE REQUESTED: _____

AMOUNT OF TIME NEEDED: _____

DEPARTMENT: Nondepartmental

DIVISION: Chair's Office

CONTACT: John Rakowitz

TELEPHONE #: 306-5797

BLDG/ROOM #: 106/1515

PERSON(S) MAKING PRESENTATION: Presented by John Rakowitz, Duke Shepard and other invited guests

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL OTHER

SUGGESTED AGENDA TITLE:

Presentation of the 1999 Progress-to-Date Report for Multnomah County's Strategic Investment Program with LSI Logic Corporation and the City of Gresham

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____

(OR)

DEPARTMENT

MANAGER: _____

Beverly Stein

CLERK OF COUNTY COMMISSIONERS
99 SEP 30 AM 7:47
MULTNOMAH COUNTY
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ 248-3277

**MULTNOMAH COUNTY
STRATEGIC INVESTMENT PROGRAM**

-  **PARTNERSHIP**
-  **PERFORMANCE**
-  **INNOVATION**

August 1999

The Strategic Investment Program (SIP) is a 15- year, three-way public/private partnership between Multnomah County, the City of Gresham, and LSI Logic Corporation.

SIP Policy, Budget and Performance Oversight

Office of Multnomah County Chair Beverly Stein
John Rakowitz, Business Liaison
1120 SW 5th, Room 1515
Portland, OR 97204
(503)306-5797
E-mail: john.a.rakowitz@co.multnomah.or.us

SIP Project Management

Worksystems, Inc.
Duke Shepard
711 SW Alder, Suite 200
Portland, OR 97205.
(503) 478-7351
E-mail: dshepard@worksystems.org

This report produced by Multnomah County in conjunction with Worksystems, Inc. The report will be available on the Worksystems, Inc. web site at www.worksystems.org.

SIP Community and Operating Partners

Worksystems, Inc.
Workforce Connections/ East County One Stop Career Center
Southeast Works, One Stop Career Center
Oregon Department of Environmental Quality
Mt. Hood Community College
Multnomah County Division of Community Programs and Partnerships

Report Production

John Rakowitz: Editor
Duke Shepard: Project Management
Kevin Masterson: Environmental Reporting
Amber Cole: Publication Design and Production

Printed on recycled paper.



296-M



Beverly Stein, Multnomah County Chair

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August 30, 1999

To: Citizens, Partners & Interested Parties
From: Chair Beverly Stein 
Re: Multnomah County Strategic Investment Program Partnership

A key to our community's success in the next century will be our ability to align public and private assets to take full advantage of the opportunities presented by the global high tech economy. Communities that will thrive in the new economy are those that figure out how to connect the goals of government and business and undertake creative partnerships based on this connection.

Multnomah County and the City of Gresham have successfully developed just such a partnership, with LSI Logic. Using the State of Oregon's Strategic Investment Program legislation, *we have shown that business and government can operate for the benefit of both the community and the economy.*

The days of government's purely regulatory and often adversarial relationship to business have gone the way of punch card computing. While accountability to the public is a vital function of government (and a key element of the Strategic Investment program), this function must be understood in different terms in the modern economy. Our communities need a creative approach to government that accounts for the rapidly changing global conditions affecting jobs, markets and the bottom line.

Business shares with government an interest in the overall health of the community. It has become clear in the last decade that a healthy community is an asset to the business climate. A well-trained workforce and a high quality of life are critical ingredients for both solid economies and healthy communities. This will be even more apparent in the coming century.

Healthy communities will increasingly be defined by a thriving *and* sustainable economy that ensures a successful and satisfied citizenry. The best long-term answer to poverty will always be a living wage job and long term career. Partnerships between government and business can help make this happen in our community, as the partnership between Multnomah County, the City of Gresham and LSI Logic has.

I am pleased to report that this innovative partnership continues to exceed the performance standards and the community goals established at its inception in 1995. The partnership approach has yielded innovations that can be duplicated in future public private ventures that assure benefits for all parties. As you read this report, you will be looking at the way government and business must operate in the decades to come.



CONTENTS

"The first phase of our state-of-the-art semiconductor manufacturing facility in Gresham is now a reality. We have invested in Oregon, provided hundreds of career-path jobs, and we are an integral part of the local economy. There is simply no doubt that the performance based public-private partnership – Multnomah County, the City of Gresham and LSI Logic – is an unqualified success story."

Joe Zelayeta
Executive Vice President
LSI Logic

"The SIP is working quite well. We're extremely pleased with this fine partnership with LSI Logic."

Charles Becker
Mayor, City of Gresham

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CONTRACTUAL PARTNERS

Multnomah County

In 1995, Multnomah County adopted a comprehensive and innovative policy for potential implementation of the state's Strategic Investment Program, aimed at attracting and retaining quality jobs in high value growth industries, primarily high technology. A Strategic Investment Program Agreement was negotiated with LSI Logic in mid 1995 that established a performance based public-private partnership. Multnomah County managed day to day SIP operations from 1995 to 1998. The Multnomah County Chair's Office maintains responsibility for policy, performance, and budget oversight, with day-to-day project management residing at Worksystems, Inc.

City of Gresham

Gresham is a signatory partner with Multnomah County and LSI Logic to the SIP. Gresham works closely with LSI Logic on all matters that impact the city and the company, particularly in the areas of local procurement, public infrastructure, and environmental performance.

LSI Logic Corporation

Based in Milpitas, California, LSI Logic is the leading market share producer of Application Specific Integrated Circuits (ASIC), employing 6,600 world-wide, more than 500 in Gresham. LSI Logic entered into a Strategic Investment Program (SIP) agreement with Multnomah County in 1995, securing a planned \$4 billion manufacturing investment by the company in Gresham. LSI Logic has established its Gresham campus as its state-of-the-art manufacturing flagship.

OPERATING PARTNERS

Worksystems, Inc.

A partnership of the City of Portland, Multnomah, Tillamook, and Washington Counties, private industry, and the community, Worksystems Inc. is charged with establishing, supporting, and evolving a demand-driven, community-based regional workforce system to meet the demands of the 21st century economy. SIP project management, including First Source Agreement services, was transferred to Worksystems, Inc. in 1998.

One Stop Career Centers

The One Stop Career system is a community based workforce development model that connects employment, education, and training services into a fully integrated network of job-seeker and employer resources at the local level. SE Works and Workforce Connections/East County One Stop are the One-Stop partners developing the microelectronics workforce and career system for targeted populations through the First Source Agreement of the SIP.

Mt. Hood Community College

The Mt. Hood Microelectronics Training Center (MTC) is a joint partnership between Mt. Hood Community College, LSI Logic, and Fujitsu Microelectronics that is designed to educate and enhance the East County semiconductor workforce. The MTC provides training for students and entry-level microelectronics employees as well as continuing education for those currently employed in the microelectronics industry.

Oregon Department of Environmental Quality (DEQ)

As the state regulatory authority for environmental protection, the Oregon DEQ assists Multnomah County and the City of Gresham in ensuring that LSI Logic meets the "no impact" environmental goal established by Multnomah County.

EXECUTIVE SUMMARY

The Multnomah County Strategic Investment Program represents an innovative approach to economic development designed to achieve mutual benefits for both the public and private sectors utilizing a performance based partnership. Established in 1995, this 15-year agreement between LSI Logic, local governments (Multnomah County, City of Gresham), and educational and community organizations ensures measurable social benefits while supporting the ability of the company to succeed. Despite the longest ever worldwide slowdown in the semiconductor market, all partners have worked toward continuous improvement and innovation to meet and exceed county SIP goals. This has resulted in innovative approaches that continue to improve performance and create positive impacts for all partners, public and private.

What is a Strategic Investment Program?

The Strategic Investment Program (SIP) was created by the Oregon Legislature in 1993 in order to attract investment from the semiconductor industry.

The following are the statutory elements of the SIP:

- Any company entering into a SIP agreement pays property taxes on the first \$100 million dollars of assessed property. Property taxes are exempt on assessed valuation of new investments above \$100 million. This figure floats with increases or decreases in taxable value of property in the county over time;
- A community service fee, equal to 25 percent of the abated taxes and up to a maximum of \$2 million per year, is paid to the county and distributed based upon an agreement with the City of Gresham;
- The county is allowed to negotiate other reasonable requirements or restrictions on participating companies, such as hiring requirements, or additional fees;
- Any company entering into a SIP agreement is required to enter into a First Source Hiring Agreement with a publicly funded job training provider.

Rationale

Currently the typical cost of a new semiconductor plant is approximately \$1.5 billion.¹ According to the Oregon Economic Development Department, the average per job investment for the semiconductor industry is \$1 million to \$1.5 million, compared with a per job cost of \$100,000 for other manufacturing industries.² This enormous cost comes as a result of the continual investment in unique and expensive equipment required for semiconductor production. These per job equipment investments

create economic development challenges because Oregon's property tax system levies taxes on the total value of all manufacturing property, including equipment. As a result, when coupled with the inherently large per job equipment investment costs, Oregon's tax structure discourages investment by the semiconductor industry. Oregon's SIP statute was designed to mitigate this disincentive for semiconductor investment and job creation in Oregon.

What makes the Multnomah County SIP Unique?

In 1995, the Multnomah County Board of Commissioners crafted a comprehensive policy framework to guide implementation of the state SIP statute in Multnomah County. This policy framework established an "exemplary corporate citizen" standard as the guiding principle for county consideration of SIP applications. This standard ensures responsibility, accountability, and community involvement by any potential SIP corporate participants. In implementing this standard with LSI Logic, Multnomah County negotiated a SIP agreement that is unique in its commitment to measurable achievement of specific public priorities including:

- Job creation commitments over the life of the agreement.
- Defined wage and benefit standards over the life of the agreement.
- Entry level job opportunities for disadvantaged populations.
- Additional employee benefits such as transportation and child care assistance.
- Clearly defined objectives for employee retention and promotion.
- Company investments in expanded workforce and educational systems.
- Company contributions for increased affordable housing inventory.
- Environmental protection and mitigation through a "no impact" goal.
- Commitment by LSI Logic to purchase goods and services locally, regionally, and statewide.
- Company investments supporting public infrastructure improvements.

This unique agreement assures mutual responsibility, accountability, and continuous improvement throughout the 15-year course of LSI Logic's projected \$4 billion, 2000-job investment in Gresham.

A Brief History of the Multnomah County SIP partnership

Following the County's adoption of its SIP implementation policy, LSI Logic submitted a detailed application for its consideration as a SIP participant. Upon review and acceptance of the application, Multnomah County and the City of Gresham entered into negotiations with LSI Logic for a SIP agreement, resulting in the partnership that is

in place today. Primary responsibility for administration of the SIP was established within Multnomah County, first as a unit of the County Budget Office and eventually residing within the office of the County Chair.

As required by SIP statute, a First Source Hiring Agreement (FSA) for recruitment and referral of local residents to jobs at LSI Logic was reached between LSI Logic and the County's recognized job training entity, which at that time was the Portland Development Commission's JobNet program. Thus, overall SIP administration was separated from the implementation and administration of the crucial FSA workforce component of the agreement.

Further complicating the partnership was the SIP contractual intent for community based workforce development services through One-Stop career centers that were then in their infancy and, perhaps more importantly, not connected to the JobNet program. Eventually, the JobNet program established limited relationships with the emerging One-Stops, though the JobNet program was still performing the bulk of the operational functions (recruitment, screening, referral) of the SIP First Source Agreement.

In 1997, Multnomah County Chair Beverly Stein, City of Portland Mayor Vera Katz, and Washington County Chair Linda Peters undertook an ambitious project for the reorganization of the regional workforce system. The outcome of this project was the merging of the region's Workforce Quality Committee and Private Industry Council into Worksystems, Inc. Subsequently, Multnomah County transferred day-to-day SIP project management to Worksystems, Inc. to fully integrate the program with evolving regional workforce efforts. This move coincided with the transferal and reorganization of JobNet to Worksystems, Inc., ensuring that all day-to-day public responsibility for SIP operations resided with one entity.

Subsequent to this reorganization, the emerging One-Stop Career centers in East Multnomah County (East County One-Stop) and Outer Southeast Portland (Southeast Works) were integrated into the SIP as operating partners. The hands-on recruitment, screening, and development of local targeted populations for LSI Logic entry level positions which was formerly centralized at the JobNet program has been integrated into the region's community based One-Stop Career Center system. This has resulted in improved access for local residents to East County's rapidly growing microelectronics jobs while also providing tools for the continuing development of local One-Stop services.

These substantial organizational changes have resulted in the rapid evolution of the SIP into a high performance, public private partnership. At an operational level, a more efficient, community-based system has evolved for the achievement of the SIP workforce goals that are the responsibility of the public sector. Coupled with successful collaboration with the Oregon Department of Environmental Quality and the regional housing community, and the consistent commitment of LSI Logic, the SIP has produced the results envisioned in Multnomah County's implementation policy.

Worldwide Industry Impacts on the SIP partnership

Shortly after the SIP agreement was reached with LSI Logic, the semiconductor industry entered what would prove to be the longest worldwide slowdown in its history. This economic slowdown has had numerous continuing impacts on the company and the partnership. This slump forced the company to scale back its initial investment schedule for fab construction, chip output, and job creation. As a result, no property tax abatement occurred until 1998, as the total value of the LSI Logic property and equipment did not exceed the statutory \$100 million abatement threshold.

This world wide industry slowdown substantially effected fab start up and production levels. Indeed, fab start up and production were delayed more than 11 months due to the flat market conditions. Despite this market caused delay, LSI Logic prepared for an eventual market rebound and continued to fill positions throughout the fab. While other semiconductor manufacturers were mired in massive layoffs or (in some cases) complete and permanent facility shutdown, LSI Logic created 187 quality jobs in 1998, and a total of 485 since 1995.

Upon start-up, chip output stood at only one-third capacity. Thus LSI Logic's 1998 job creation does reflect a shortfall as measured against job creation projections established in 1995, which called for the creation of 201 jobs in 1998. This temporary shortfall occurred primarily around the creation of entry-level manufacturing positions, a direct result of below-capacity chip production associated with world-wide market conditions. As the semiconductor industry rebounds (LSI Logic's Gresham production is projected to approach 60% capacity by the third quarter of 1999) the company expects to complete the achievement of job goals in the manufacturing classification during the course of 2000.

As with job creation, LSI Logic proceeded to implement high performance environmental management systems for the fab in anticipation of full production. While the market slowdown did cause delays in establishment of environmental impact baselines associated with full production, LSI Logic (in partnership with the Oregon Department of Environmental Quality) has established and implemented environmental management practices which meet or exceed those required by state and federal law. This includes implementation of DEQ's Green Permits/Environmental Management System Improvement Project (currently in a pilot phase) which is designed to continuously improve environmental performance above and beyond regulatory minimums. LSI Logic will be the first company in Oregon to receive a DEQ Green Permit.

Local Economic Results and Performance Highlights

The human, financial, and physical impacts of the SIP partnership have been substantial, particularly in light of the protracted worldwide slowdown. During the first three-year phase of the agreement, LSI Logic has created 485 jobs at the Gresham campus, 17.5 percent of the company's domestic workforce.³ This local job creation exceeds the total job creation projected in the SIP agreement. While these jobs provide quality wages and benefits, most importantly they are resulting in promotions and career paths for county targeted populations.

▶ PERFORMANCE

The LSI Logic Gresham campus payroll reached \$22.1 million in 1998, a \$7 million increase from 1997.

▶ PERFORMANCE

LSI Logic Average Wages for 1998

Average Salaries by Classification

| | |
|----------------|----------|
| Administrative | \$38,300 |
| Technician | \$61,100 |
| Manufacturing | \$33,800 |
| Professional | \$67,800 |
| Engineering | \$63,300 |

LSI Logic Employee Benefits Summary

- Transportation Service, Passes, and Carpools
- Child-care Subsidies, Discounts, and Shift Preferences
- Health Care (three plans)
- Vision Care
- Dental Care
- Mental Health Coverage
- Employee Assistance Program
- Tuition Reimbursement
- 401 (k) Retirement Savings Plan
- Quarterly Profit Sharing
- Discounted Stock Purchase Plan
- Flexible Contribution Account
- Life Basic/Accidental Death & Dismemberment Insurance
- Short and Long Term Disability

POPULATIONS TARGETED FOR MICROELECTRONICS JOBS

| | |
|-----------------------------|---|
| Welfare Recipients | School-to-Work students |
| Unemployed | Graduates of Vocational Programs |
| Underemployed | Graduates of Oregon Institutions of Higher Education |
| Local High School Graduates | |

LSI Logic's creation of 485 jobs is estimated to have created an additional 697 jobs throughout the Multnomah County economy as those LSI Logic employees pay taxes and buy goods and services throughout the regional economy.⁴ This does not include jobs that are being created through local expenditures and supplier relationships tied directly to LSI Logic's Gresham campus. Most notably, DuPont Photomasks, the world's leading supplier of photomasks for the semiconductor manufacturing process, has leased 13 acres of the LSI Logic Gresham Campus for a \$75 million, 200 employee long term investment in Multnomah County.

**PERFORMANCE****LSI Logic's First Phase Local Procurement Expenditures**

- 1996-1998** \$135,745,001 in procurement expenditures within Multnomah County
- 1996-1998** \$234,076,722 in procurement expenditures throughout Oregon and Clark County, WA.

Despite global economic factors over the first three years of the SIP, LSI Logic has met or exceeded all financial obligations within the agreement, totaling over \$3.5 million in housing, workforce training and education, and community service fee obligations. LSI Logic has paid over \$19.2 million in property taxes, system development charges, and infrastructure improvement costs over the first phase of the agreement, as well as corporate excise taxes paid to the state of Oregon at a rate of 6.6 percent.

The SIP partnership has undergone substantial growth and evolution since it's beginning in 1995. All of the contractual partners have seized the SIP as a platform for achievement and an opportunity for innovative mutual benefits. As the partnership enters a new phase, the SIP has provided a framework for innovative public-private collaboration while ensuring mutual accountability through performance.

▷ 1998 PERFORMANCE AT A GLANCE

Employment Obligations

| | |
|---------------------------------|------|
| Job Creation | ▲ ◎* |
| Retention | ▲ |
| Promotion | ▲ |
| Wage Scales | |
| Administrative | ▲ |
| Technician | ▲ |
| Manufacturing | ▲ |
| Professional | ▲ |
| Engineer | ▲ |
| Weighted Average Payroll | ▲ |
| Employer Paid Benefits | ▲ |
| Healthcare (employee costs) | ▲ |
| Dental/Vision | ▲ |
| Savings and Investment Programs | ▲ |
| First Source Agreement (FSA) | △ |
| FSA Funding | ▲ |
| Childcare | |
| Subsidies | △ |
| Providers | ▲ |
| Shift Accommodation Plan | △ |
| Transportation | |
| Tri-Met (transit) passes | ▲ |
| Carpool spaces | ▲ |
| Alternative Option | ▲ |
| Ride Matching | △ |

- ▲ Exceeds Requirements
- △ Meets Requirements
- ◎ Correction Required

* LSI Logic has exceeded total job creation targets for the first phase of the agreement. However, delays in fab start-up and production (only 1/3 capacity in 1998) resulted in a temporary job creation shortfall in the manufacturing classification for the three-year first phase of the agreement. This temporary shortfall will be eliminated as the market rebounds and the fab increases production (which is now near 60 percent). LSI Logic expects to complete the achievement of job creation goals in the manufacturing classification in 2000.

 1998 PERFORMANCE AT A GLANCE

Community Obligations

| | | |
|----------------------|---|---|
| | Community Service Fee |  |
| Exceeds Requirements |  | |
| Meets Requirements |  | |
| Correction Required |  | |
| | Additional Contributions | |
| | Job Training |  |
| | Housing |  |
| | Community Resources |  |
| | Local Procurement |  |
| | Infrastructure and Public Service |  |
| | Environmental Management System |  |
| | Toxics/Hazardous Material Minimization |  |
| | Water Conservation and Quality |  |
| | Air Quality |  |
| | Solid Waste |  |
| | Reductions/Recycling |  |
| | Energy Conservation |  |

QUALITY JOBS

County Goal:

It is the Goal of Multnomah County to create long term jobs with family wages, benefits, and working conditions for county residents or creation of a full spectrum of jobs for residents of Multnomah County who are unemployed or under-employed, with a clear track from entry level jobs to family wage jobs.

▶ PERFORMANCE

As discussed in the executive summary, LSI Logic has, over the first three-year phase of the agreement, exceeded total job creation goals established in the SIP agreement.

| | | |
|----------------------------|-----------------|------------------------------|
| Total Job Creation: | <i>SIP Goal</i> | <i>LSI Logic Performance</i> |
| | 467 | 485 |

However, 1998 job creation reflects a temporary shortfall in manufacturing positions resulting from start-up and production delays associated with a protracted world-wide industry slowdown.*

| | | |
|---------------------------|-----------------|------------------------------|
| 1998 Job Creation: | <i>SIP Goal</i> | <i>LSI Logic Performance</i> |
| | 201 | 187 |

LSI Logic salary ranges exceed baselines agreed to within the SIP agreement.

Average Salary Range:

| | 1998 | <i>SIP Goal</i> | <i>Comparison</i> |
|----------------|----------------------|-------------------|-------------------|
| Administrative | \$17,250 - \$ 48,750 | \$17,000-\$34,000 | + 22.45% |
| Technician | \$22,850 - \$ 71,250 | \$20,000-\$50,400 | + 27.80% |
| Manufacturing | \$16,400 - \$ 44,600 | \$13,600-\$33,600 | + 26.65% |
| Professional | \$32,000 - \$102,000 | \$26,000-\$62,000 | + 43.75% |
| Engineering | \$39,500 - \$102,000 | \$33,000-\$85,000 | + 19.85% |

It is important to note LSI Logic currently employs no manufacturing employees at the lowest salary range listed above. The lowest actual wage paid to LSI Logic entry-level manufacturing employees is \$20,072 (\$9.65 per hour) for day-shift work, upon completion of an initial 8 week training period. Night shift employees receive a shift premium that pushes this entry-level wage even higher for those workers.

* LSI Logic has exceeded total job creation targets for the first phase of the agreement. However, delays in fab start-up and production (only 1/3 capacity in 1998) resulted in a temporary job creation shortfall in the manufacturing classification for the three-year first phase of the agreement. This temporary shortfall will be eliminated as the market rebounds and the fab increases production (which is now near 60 percent). LSI Logic expects to complete the achievement of job creation goals in the manufacturing classification in 2000.

▷ PERFORMANCE

Total hourly average wages at LSI Logic, excluding senior staff, exceed average yearly pay in Multnomah County.

LSI Logic Average Wages

| | |
|--|-------------------------------------|
| Hourly: | \$35,630.40 (\$17.13 per hour) |
| Salaried: | \$72,800.00 (excludes senior staff) |
| Average Yearly Pay in Multnomah County ¹ : | \$32,285.00 (all industries) |

Additional SIP Benefits

Childcare: A 50 percent child-care subsidy is provided by LSI Logic based upon income eligibility, and shift preferences are granted for child-care needs per the standards of the SIP Agreement.

Transportation: LSI Logic provides: Tri-Met passes to all employees at no cost, 75 marked carpool spaces (exceeding the SIP required 55) and carpool matching information, guaranteed rides home for those who miss car or vanpools, and covered bike lockers, all of which meet or exceed SIP standards.

▷ INNOVATION

In 1998 LSI Logic reached agreement with an additional daycare provider for a 5 percent employee discount. This provider has agreed to extended hours depending on a minimum 16 children signing up. This threshold was not reached in 1998, but discussions continue between LSI Logic and the provider for extended daycare coverage until 8 p.m. LSI Logic is also in negotiations with another provider for an additional 10 percent employee child-care discount.

▷ INNOVATION

A partnership was developed between LSI Logic, Tri-met, Fujitsu, and other local businesses in 1997 through the introduction of a free shuttle service connecting the Rockwood and Gresham Transit Centers and several area bus lines. Free shuttle services continue today.

FIRST SOURCE AGREEMENT

Execution of a First Source Agreement (FSA) is a statutory requirement of any SIP agreement. First Source Agreements require a county designated, publicly funded job training provider to recruit, screen, and refer qualified applicants to the contracted employer for what are typically entry-level positions. The participating company is required to recruit exclusively for these negotiated positions through the county's designated job training provider (in this case Worksystems, Inc.). The SIP First Source Agreement places a particular emphasis on the employment of county "targeted populations" at LSI Logic.

The purpose of the SIP First Source Agreement is twofold:

- Access to quality jobs and long term careers at LSI Logic for disadvantaged County residents
- High quality referrals that meet LSI Logic's hiring specifications

The FSA requires that LSI Logic hire for entry-level positions from among qualified First Source referrals. It is the responsibility of Worksystems Inc. and in turn, it's First Source operating partners (SE Works and Workforce Connections/ECOS) to ensure that individuals referred to the company both represent county identified target populations and meet LSI Logic's hiring specifications.

It is important to note that job seekers are not screened in or out of the hiring process based on target population status or residence (it is illegal to screen individuals for job referral based on residence). Instead, screening of job seekers is based upon job readiness relative to LSI Logic's job specifications. Job seekers who are identified as job-ready are referred to LSI Logic for entry level testing, interviewing, and potential hiring. Those who are not immediately job ready are referred to additional training and/or other employment opportunities that may provide entry into the high-tech field for development of long term careers and potential future referral to LSI Logic.

▷ PERFORMANCE

1998 LSI Logic
First Source Hires

SIP Target Populations:

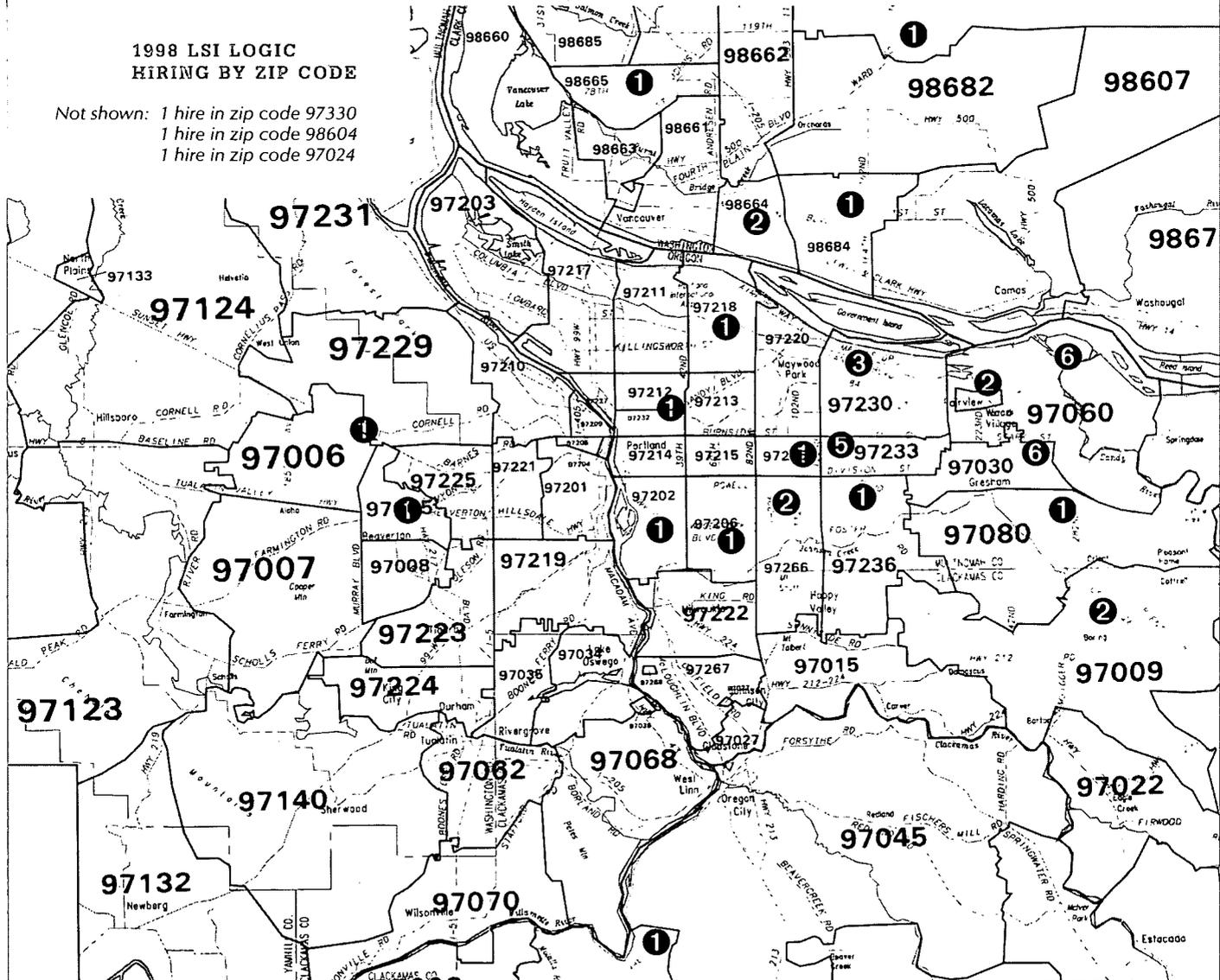
| | |
|--|-----------|
| Welfare Recipients | 5 |
| Unemployed | 12 |
| Underemployed | 11 |
| Oregon High School Graduates | 8 |
| Graduates of Vocational Programs | 4 |
| School-to-Work students | 1 |
| Graduates of Oregon Institutions of Higher Ed. | 4 |
| Information not provided* | 3 |
| Total LSI Logic Hires | 48 |

* Income and demographic information is provided voluntarily by job seekers. These individuals chose not to provide this information.

Additional target populations placed in high tech/manufacturing jobs 29

1998 LSI LOGIC
HIRING BY ZIP CODE

Not shown: 1 hire in zip code 97330
1 hire in zip code 98604
1 hire in zip code 97024



> INNOVATION

In accordance with the SIP agreement, LSI Logic contributed \$60,000 for 1998 funding of the First Source Agreement with Worksystems, Inc. This was the final First Source annual payment of the first phase of hiring. The SIP agreement requires that payment for First Source referrals occur on a per hire basis beginning January 1, 1999. However LSI Logic, Multnomah County, and Worksystems, Inc. have modified the agreement for 1999 in order to provide consistency while securing access to additional jobs in the industry. Under the modified agreement, LSI Logic pre-pays for a set number of potential positions or "hiring credits." Should market conditions prevent LSI Logic from utilizing these "credits," the company may transfer them to another east county high-tech employer. This provides access to quality jobs for the county's target populations, even if LSI Logic's hiring needs do not meet projections, and ensures a continuing level and quality of First Source referrals necessary for meeting LSI Logic's hiring needs.

> INNOVATION

Substantial workforce development innovations have occurred through the integration of One-Stop career centers as the delivery mechanism for First Source services, the recruitment, screening, and skill development of target populations. At the earliest stage of One-Stop involvement, JobNet arranged and ran microelectronics orientations and performed the bulk of the recruitment, screening, and referral of target populations. With the transfer of JobNet to Worksystems, Inc., the One-Stop career centers came on line and reengineered job-seeker services based on their community experience, leading to One-Stop staff's creation of Behavioral Interviewing Modules. These training modules are designed to provide job-seekers with interviewing, communication, and teamwork skills necessary for success at LSI Logic. Elements of these modules have been implemented into a variety of One-Stop orientations for all job-seeking customers, as the skills provided are necessary for success throughout the regional labor market.

> INNOVATION

Additional One-Stop innovation has occurred around industry specific workforce orientations. Initial orientations consisted of time-certain group orientations consisting of presentations by staff and viewing of a video. Upon identifying the need for an improved, more accessible orientation, SE Works designed a self-directed computer presentation that enables job seekers to access, at their convenience, crucial information about the requirements necessary for success at LSI Logic. The success of this service at SE Works has led to it's inclusion in SIP related services delivered by Workforce Connections/East County One-Stop.

Further, through a partnership between Worksystems, Inc. and the Oregon Semiconductor Workforce Consortium, both One-Stops have now included an additional self-directed computer tutorial in their SIP related services. A CD Rom developed by the Consortium entitled "Working in Cleanroom" provides a visual tour and factual information about the products and demands of the semiconductor industry. This provides an industry driven perspective for job seekers, as well as an effective visual tool for targeted populations who are new to the unique demands of the industry.

RETENTION AND PROMOTION

Retention

The SIP agreement requires LSI Logic to demonstrate a 70 percent rate of retention for all employees. LSI Logic's corporate goal for the Gresham Manufacturing Headquarters is 90% retention. LSI Logic has achieved a retention rate of approximately 88 percent for 1998.

Promotion

A baseline promotion rate of 50 percent was established in the agreement for FSA covered employees, upon completion of one year of employment. LSI Logic promoted 21 of 40 FSA covered employees in 1998 and provided 6 special salary adjustments. These promotions and adjustments resulted in increases of 6-8% for these employees over and above increases resulting from LSI Logic's regular merit review increases.

INNOVATION

The SIP agreement requires LSI Logic to ensure that supervisors of Category One employees receive training in order to provide the appropriate supervisory skills for identifying employment issues sometimes associated with target populations to prevent potential disciplinary action. This provision of the agreement is of great importance to Multnomah County, consistent with the county's commitment to ensuring long term economic success for disadvantaged residents and reduction of poverty as a key Multnomah County benchmark.

As Worksystems, Inc. and LSI Logic discussed options for supervisor training within the context of the company's already extensive training program, LSI Logic identified a larger need for diversity training for supervisors. As a result, Worksystems, Inc. is facilitating diversity training for supervisors that will fully encompass employment issues sometimes associated with target populations. This training of supervisors exceeds contractual specifications and also fills an identified company need. In addition, Worksystems, Inc. and LSI Logic are exploring inclusion of elements of the diversity training as a part of LSI Logic's core training for entry level operators.

EDUCATION AND TRAINING

The SIP partnership places substantial emphasis on sustaining and improving the emerging high-tech educational activities and infrastructure of east Multnomah County. SIP investments and activities encompass the continuum of education and training: high schools, community colleges, higher education, entry level training, and continuing education and training opportunities for workers.

School-to-Work

The SIP agreement requires good faith efforts by LSI Logic to increase meaningful participation in School-to-Work activities. LSI Logic has identified School-to-Work participation as a top priority for the Gresham campus. Among their activities, LSI Logic is working in partnership with Reynolds School District to develop a program that involves high school students and faculty in the semiconductor industry at both the middle and high school levels. The program is designed to be portable to allow other east county districts to participate.

INNOVATION

In the summer of 1998, LSI Logic gave local teachers the opportunity to take part in an 8-10 week paid internship assignment within the company, the second year the company has offered such a program. In addition, LSI Logic participated in Mt. Hood Community College's Rich Rewards Workshop for east county schools, which is designed to inform teachers, counselors, and School-to-Work staff about skills required by the industry and career opportunities within the industry.

INNOVATION

LSI Logic is a Board Member and participant in Oregon State University's Multi-Engineering Cooperative Program which provides on-the-job engineering experience and college credit for eight students through paid internships.

 **PERFORMANCE**

In accordance with the SIP agreement, LSI Logic has contributed \$300,000 to Multnomah County for high-tech education and training from 1996-1998.

 **PERFORMANCE**

In 1998, nineteen employees received tuition reimbursement, including the following degree programs:

- 2- year degree - 6 employees
- 4- year degree - 4 employees
- Post Graduate Degrees - 6 employees

Mt. Hood Microelectronics Training Center

By providing the incentives that attracted LSI Logic and other microelectronics firms to Gresham, implementation of the SIP was key in creating the Microelectronics Training Center (MTC). The MTC is a partnership between Mt. Hood Community College, LSI Logic, and Fujitsu Microelectronics that is designed to educate and enhance the East County semiconductor workforce. The MTC provides training for students and entry-level microelectronics employees as well as continuing education for those currently employed in the microelectronics industry.

 **PERFORMANCE**

LSI Logic's eight-week core training program for new employees is conducted at the MTC, which in 1998 saw 81 employees participate.

▷ PERFORMANCE

Per agreement specifications, LSI Logic pays 75 percent of the operating costs for the MTC. These costs totaled \$53,539 for 1998. Further, LSI Logic made in-kind donations including Plexiglas, air-conditioning (estimated \$15,000), computer and mini-fab equipment maintenance, computer development, and systems consulting.

▷ PERFORMANCE

LSI Logic entry-level employees have taken part in 25,900 hours of MTC training since 1996.

▷ PERFORMANCE

Multi-media field trips for middle and high school students to the MTC have introduced 1,000 east county students and teachers to the microelectronics industry and LSI Logic.

▷ INNOVATION

The MTC offers microelectronics classes for east county high school students that have served over 100 students through 1998. Students receive high school graduation credit for these classes, as well as four hours of college credit. Among a wide variety of activities, students work in teams in preparing and presenting a project that focuses on one step in the integrated circuit fabrication process. Class completion requires students to pass the same final exam used at Mt. Hood Community College for college level Introduction to Microelectronics classes. MTC classes are aligned with state requirements for the Certificate of Advanced Mastery as well as the recognized industry standards of the American Electronics Association.

ENVIRONMENT

County Goal:

To approve tax abatements only for firms that demonstrate a commitment to environmental protection.

Multnomah County established a "no impact" goal for the company's environmental stewardship in the SIP Agreement. This "no impact" goal is to ensure that investment occurs that sustains livability and regional environmental quality for county residents.

LSI Logic Environmental Performance for 1998

LSI Logic has hired environmental staff and implemented programs to systematically manage its environmental activities in Gresham. At LSI Logic, every work unit is responsible for improvements in environmental management. Each employee, from entry-level maintenance to upper-level executive, is evaluated on their contribution to this goal. This system provides a strong incentive for all employees to continually strive for environmental innovation.

LSI Logic's system places a strong emphasis on reducing pollution at the source, which is considered by DEQ and EPA as the most preferred and effective environmental management strategy. For instance, changing processes to reduce the amount and toxicity of chemicals in processes not only reduces chemical storage and exposures, but also results in decreased hazardous waste volumes and air emissions.

By focusing on the areas of operation where the facility has the greatest environmental impact, LSI Logic will make rapid progress toward the County's "no-impact goal." While there are still significant environmental impacts resulting from the LSI Logic facility, the company's 1998 performance achievements demonstrate measurable progress in reducing the facility's impacts.

COUNTY OF MULTNOMAH
 CLERK OF COUNTY
 1000 COMMERCIAL AVENUE
 SEASIDE, OREGON 97138
 PHONE: 503-325-1000
 FAX: 503-325-1001
 WWW: WWW.MULTNOMAH.CO.ORG

Green Permit/EMSIP

LSI Logic's Gresham Campus is one of only three companies in Oregon participating as a pilot facility in DEQ's Green Permit/Environmental Management System Incentive Project (EMSIP). The goal of the Green Permit/EMSIP Program is to use incentives, such as regulatory flexibility, to encourage facilities to achieve greater environmental performance results than what would otherwise be required by current law. LSI Logic's Green Permit is scheduled to be issued in October 1999, and will be the first one in the state.

The Green Permits/Environmental Management System Incentive Project is based on the following principles:

- Compliance with environmental standards is the baseline. Environmental performance exceeding minimum compliance is expected.
- Measurable and significant environmental performance goals must be established. Accomplishment should produce real and quantifiable gains. For example, in addition to outstanding performance in emissions or waste reduction, the project may recognize gains in areas not traditionally covered by regulatory permits, such as habitat protection or reduction of storm water runoff.
- Meaningful stakeholder involvement is expected. In addition to superior environmental performance, Green Permit/EMSIP facilities are expected to demonstrate efforts to inform and involve members of the community in environmental issues.
- The Green Permit/EMSIP system balances simplicity with flexibility and innovation. The Green Permit/EMSIP is designed to provide clear principles and expectations of performance. At the same time, it will be adaptable to new innovations and continuous improvement for environmental management.

PERFORMANCE

| | |
|--------------------------------------|---------------------------------------|
| Chemical Use Reduction: | 12 thousand gallons |
| Water Use Reduction: | 10 million gallons |
| Energy Use Reduction: | 4.4 million kilowatt hours |
| Spent Chemicals Recycled: | 25 thousand gallons |
| Solid Waste Reduction and Recycling: | 2.1 tons of paper, metal, and plastic |

 **PERFORMANCE*****Chemical Use Reduction of 12 Thousand Gallons***

Chemical baths in the wet bench wafer cleaning process were diluted with water to reduce the quantity and toxicity of chemicals (ammonium hydroxide, hydrogen peroxide, and hydrochloric acid) used for cleaning. In addition, a change of chemicals used in the slurry process reduced the quantity of chemical applied per wafer from 2.5 liters to 1.5 liters.

Water Use Reduction of 10 Million Gallons

Level controls were installed on the condenser tanks used in the ultra pure water purification process in 1998. These new controls reduced the water flow rate in this system from 25 to 5 gallons per minute, resulting in an annual 10,000,000 gallon reduction in wastewater discharge. Further, total water use from Fab 1 is only 50% of that contemplated at the time of the agreement, due directly to LSI Logic investment in technology that reclaims an estimated 40 gallons per minute.

Energy Use Reduction of 4.4 Million Kilowatt Hours

The performance of an evaporator used to reduce the volume of ammonium sulfate solution generated as a by-product of LSI Logic's ammonia treatment, was evaluated in 1998. Based on the evaluation results, the evaporator was replaced with a more efficient model, reducing energy consumption of this process by 75%.

Solid Waste Reduction and Recycling - 2.1 tons of paper, metal, and plastic

Three major solid waste reduction and recycling measures were instituted in 1998. First, LSI Logic implemented corporate-wide Systems, Applications, and Products in Data Processing (SAP) software to integrate business information management. This system reduced the Gresham facility's paper usage by an estimated 1,200 pounds per year by eliminating the need for paper copies of many administrative documents. LSI Logic also found an alternative use for approximately 70 empty plastic slurry totes and metal drums (3,200 pounds) that would otherwise have been disposed. In addition, the recycling of spent fluorescent tubes from the Gresham facility began in 1998.

Industry Benchmarks

LSI Logic's manufacturing processes are similar to, yet distinct from, those in other high technology facilities in Oregon. Therefore, attempting to benchmark LSI Logic's environmental performance relative to other semiconductor and electronics compa-

nies may not provide accurate and complete insights into the company's relative performance. The one benchmarking tool readily available is the environmental "Road Map" developed by SEMI, the major trade organization for the semiconductor industry. The Road Map sets milestones for the implementation of particular environmental controls or reductions measure over time. Currently, LSI Logic is meeting or exceeding the schedule for achieving Road Map milestones. For instance, the Road Map sets a goal of minimizing PFC (perfluorocarbons) emissions by 1999; LSI Logic installed PFC abatement technology into the Gresham facility in 1997. Neither federal nor state law require such PFC abatement.

Among the considerations LSI Logic incorporated into the development of its objectives were local environmental conditions and concerns. Much of the attention of local environmental policy makers and advocacy organizations is focused on the increased depletion rates of habitat in our region's surface water bodies that supply water and energy, and receive wastewater.

As a result of these regional concerns, there is an expectation that LSI Logic demonstrate leadership in its industry in the area of water and energy use reduction. The company has responded by making water and energy conservation two of its top five environmental management priorities at the Gresham campus. Moreover, LSI Logic implemented measures in 1998 that saved considerable amounts of water and energy; recycling the ultra pure wastewater generated in the facility's wet benches is a good example of such efforts. LSI Logic continues to research and evaluate new resource conservation measures. The results of any new initiatives will be presented and analyzed in the 1999 SIP report.

WASTEWATER

Spent Chemical Recycling

Although LSI Logic's purity specifications for certain chemicals preclude reuse within their facility, these "spent" materials are still potentially usable by many other industries. In 1998, LSI Logic located and audited multiple prospective purchasers of its spent chemicals, and installed separate piping to divert these usable chemicals away from its waste management systems and into separate holding tanks. The materials sold to other users include isopropyl alcohol, phosphoric acid, and sulfuric acid.

WATER CONSERVATION

Indirect Impact Mitigation

Storm Water Management - In addition to environmental efforts directly related to chip production, LSI Logic has worked to create an effective storm water management program for the Gresham Campus aimed at protection of water quality in Fairview Creek and the Columbia Slough. In 1998, LSI Logic constructed five new storm water detention ponds in order to preserve and enhance water quality on underdeveloped portions of the LSI Logic property. The 1998 pond construction follows the biofiltration and pond construction investments made by LSI Logic in 1997.

HOUSING

Contract Goal: To provide assistance securing affordable housing in Multnomah County.

In 1995, LSI Logic contributed an initial \$500,000 to increase Multnomah County's affordable housing stock. Multnomah County, the City of Portland, and the City of Gresham engaged in an extensive community planning process with the Gresham Community Housing Corporation and the citizen-led, countywide Housing and Community Development Commission for the review of proposed SIP housing developments. These community partners met with the goal of leveraging \$1 million of SIP funding (LSI Logic's \$500,000 along with \$500,000 from Fujitsu's former SIP) with other public and private sources for maximum impact on county housing needs.

SIP SUPPORTED PROPERTIES IN MULTNOMAH COUNTY

- | | |
|-------------------------------|-------------------------|
| Rockwood Landing | Ava House II |
| Villa de Clara Vista Addition | Rockwood Apartments |
| Woodstock House | Alberta Simmons Plaza |
| St. Francis Apartments | 5 Portland Habilitation |
| Endelea Court Apartments | Center properties |

This initial SIP affordable housing funding has now been leveraged into \$12 million by local community development corporations. It has financed nine housing developments (374 units) throughout Multnomah County, housing over 525 disadvantaged county residents. All of the SIP assisted units are for persons at or below 50 percent of the area's median income level (\$24,800 for a family of four). The remaining SIP leveraged units are for those at 60 percent median income. During the community funding allocation process, preference was given to projects that featured linkages to available and developing workforce related services and support services for families.

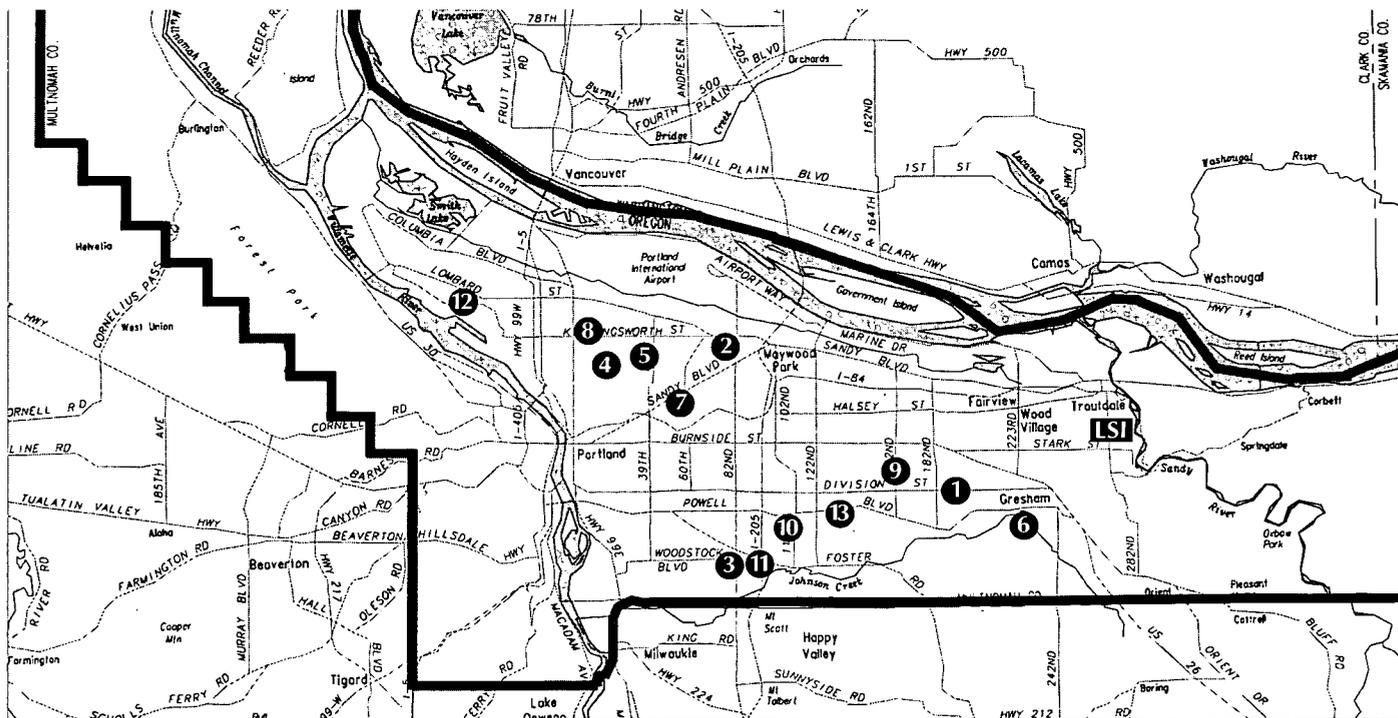
Rockwood Landing ① SE 190th/SE Yamhill
Developer/CDC: Housing Authority of Portland
Populations served: Farmworkers at or below 50% of area median income
Special Features: Community Room for Service Providers
SIP housing award: \$150,000

Villa de Clara Vista Addition ② 6500 NE Killingsworth Portland
Developer/CDC: Hacienda CDC
Populations served: Large families at 28%-50% area median income
Special Features: Bilingual property manager, Community Resource Center for service providers including: child-care, nutrition counseling, family counseling, tutoring, and workforce development
SIP housing award: \$150,000

Woodstock House ③ 7110 SE Woodstock, Portland
Developer/CDC: Rose CDC
Populations Served: Persons in drug and alcohol recovery and families with a parent going through drug and alcohol recovery. Low income persons and families at 30%-50% of median income level.
Special Features: Alcohol and drug-free housing designed for people who have recently completed drug treatment programs.
SIP housing award: \$45,000

Multnomah County

SIP supported housing developments are located throughout Multnomah County.



- St. Francis Apartments** ④ NE 10th/Alberta, Portland
Developer/CDC: Franciscan Enterprises
Populations served: Families below 50% area median income
Special Features: Access to Neighborhood Network Center; center provides access to job training and computer training by Franciscan Enterprises
SIP housing award: \$32,000
- Endelea Court Apartments** ⑤ NE 27th/Killingsworth, Portland
Developer/CDC: Sabin CDC
Populations served: Large families at 30-50% of area median income
Special Features: access to Neighborhood Network Center, off-site resident liaison
SIP housing award: \$100,000
- Ava House II** ⑥ 97 NW Ava, Gresham
Developer/CDC: Mt. Hood CMHC
Population Served: Mentally ill with SSI incomes, low income at below 50% of median income level
Special Features: Off-site skills trainer and case manager
SIP housing award: \$50,000
- RoseWood Apartments** ⑦ NE 48th/Sandy, Portland
Developer/CDC: Central City Concern
Populations Served: Persons living with AIDS; 21 units at 0-50% of median income level, 14 units at 50%-80% of median income level
Special Features: Housing manager, support services, off-site employment programs for residents
SIP housing award: \$185,000
- Alberta Simmons Plaza** ⑧ NE MLK/NE Dekum, Portland
Developer/CDC: Housing our Families
Populations served: Elderly section 8 recipients at 0-50% area median income
Special Features: Commercial component
SIP housing award: \$114,000
- Portland Habilitation Center** ⑨ 1009 SE 162nd Ave.
5 property purchase ⑩ 4333 SE 104th Ave.
 ⑪ 7200 SE Woodstock Blvd.
 ⑫ 6633-34 N. Oberlin
 ⑬ 13223 SE Powell
Developer/CDC: Portland Habilitation
Populations served: Housing will be marketed towards low-income disabled populations targeted for workforce development
Special Features: Project involves the rehabilitation of five apartment buildings, existing tenants will not be relocated. Off site case manager aiding with workforce development for residents.
SIP housing award: \$114,000

CONCLUSION

Multnomah County, LSI Logic, and the city of Gresham have taken advantage of the opportunities presented by the SIP framework and worked toward continuous improvement and innovation to accomplish mutually beneficial goals. As a result we now see new and expanding community partnerships among the public and private sectors and innovative approaches to the achievement of community priorities established in the 1995 agreement.

With completion of the three-year first phase of the agreement, it is now possible to evaluate performance and impacts in both annual and cumulative terms. Quality job creation, career opportunities for disadvantaged local residents, expanded educational opportunities, environmental stewardship, and increased affordable housing all have been achieved as direct results of the SIP partnership.

Further, as the SIP partnership has evolved from a compliance-based contract toward a more collaborative partnership, the performance standards of the SIP agreement have become a baseline, rather than an ultimate goal. Success is now measured against what is possible, not what is merely required.

Maintaining performance-based accountability, while developing new and innovative partnerships and goals, will continue to produce the results envisioned by Multnomah County in 1995. This approach will ensure that all of the diverse stakeholders in the SIP, particularly the citizens of Multnomah County, will see long term benefits from this innovative approach to local economic development.

FOOTNOTES

1 Moore, Jonathan. "Silicon Central." *Business Week*, 21 June, 1999, 128.

2 OEDD report: *An Analysis of the Impacts of Industrial Property Tax Incentives*; July 30 1996.

3 Radford Associates/AON Consulting 1998 Benefits Exchange Technology Industry Compensation and Benefits Survey, pp. B-10.

4 Multiplier effect estimate from Oregon Employment Department 1.4-1.5 indirect jobs for every direct job.

FUJITSU MICROELECTRONICS POST SIP RESULTS

Post SIP Agreement Performance 1998

The original 1995 SIP Agreement provided a property tax abatement for Fujitsu to construct a second fab and create almost 500 new jobs in Gresham. In January of 1997, Fujitsu announced that due to worldwide changes in the semiconductor market, the company was canceling the planned job creation contemplated in the SIP Agreement. In August of 1997, an agreement was reached between Multnomah County and Fujitsu to dissolve the original SIP Agreement and replace it with a more limited partnership agreement. This agreement eliminates all property tax abatements while maintaining the company's commitment to the following community benefits until the year 2010:

Continuation of First Source Agreement

Maintain use and financial support of First Source Agreement, providing job opportunities for welfare recipients, unemployed and underemployed.

Transitional benefits for entry level employees

Child-care subsidies, shift preferences, child-care resource and referral services. Transportation assistance including company organized and paid subsidies, carpooling, alternative transportation opportunities and services.

Training and educational advancement

Continued financial support for the Mt. Hood Microelectronics Training Center (25 percent of MTC operating budget). Commitment to continuation of providing 80 hours of on the job training for entry level employees and continued tuition reimbursement for technical and post secondary education.

Local procurement

Implementation of local procurement plan with a goal of annual increases of 5 percent of total local expenditures.

Environmental Management Plan

Maintain and implement EMP in conjunction with Oregon DEQ. The previous environmental plan was recognized by DEQ for its quality.

It is important to note that no tax abatements ever occurred under Fujitsu's former SIP.

FUJITSU MICROELECTRONICS POST SIP RESULTS

▶ 1998 PERFORMANCE

▶ Access to entry-level jobs

| | | | |
|----------------------------|---|----------------------------|---|
| Total FSA Hires: | 4 | | |
| Adult and family services: | 0 | School to Work: | 0 |
| Unemployed: | 1 | Local vocational graduate: | 1 |
| Underemployed: | 0 | Oregon higher education: | 0 |
| Oregon High School: | 0 | No information provided: | 2 |

▶ Transitional benefits for entry level employees

Child care subsidies

| | |
|------------------------------|----------|
| Employee Participants: | 39 |
| Subsidies paid to employees: | \$21,841 |

Transportation Subsidies

| | |
|------------------------------|----------|
| Employee Participants: | 98 |
| Subsidies paid to employees: | \$10,335 |

▶ Training and Educational Advancement

Educational Assistance Reimbursements

| | |
|--------------------------------------|----------|
| Employee Participants: | 26 |
| Reimbursement Payments to Employees: | \$24,091 |

Degree Program

| | |
|------------------------------|----------|
| Participants: | 75 |
| Expenses for Degree Program: | \$51,393 |

▶ Local Procurement

| | |
|---------------|--------------|
| Vendors: | 303 |
| Expenditures: | \$11,822,338 |

Fujitsu Microelectronics Post SIP Performance (Continued)

► Environmental Management Plan

Fujitsu has continued to produce performance achievements in the areas of energy use, water recycling and reuse, and waste reduction resulting from initial investments associated with their 1996 environmental management plan.

Targets established for 1996 became obsolete due to invalid production targets associated with Fujitsu's scaled back operations. New baselines are being established in conjunction with DEQ using data obtained 4th quarter 1997 and calendar year 1998. Key accomplishments in 1998 include the following:

Water Reuse and Recycling

In 1998, Fujitsu improved the operational efficiency of the new FAB 2 ultra pure water recycling system. The company has improved performance of their existing system, which has resulted in a reduction of overall water consumption by 50 percent.

Air Emissions

Volatile organic compounds emitted per pound have been reduced 85 percent, due to both reduction in Fab 1 operations and improvements in Fab 2.

Solid Waste

In 1998, new programs for recycling silicon wafers, silicon packaging, and memory chip product packaging were implemented. Measurable results will be available from these new programs next year.



Office of Multnomah County Chair
1120 SW Fifth St., Room 1515
Portland, OR 97204

MEETING DATE: OCT 07 1999
AGENDA NO: C-1
ESTIMATED START TIME: 9:30

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Appointment to DUII Community Advisory Board

BOARD BRIEFING:

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

REGULAR MEETING:

DATE REQUESTED: 10/7/99
AMOUNT OF TIME NEEDED: Consent

DEPARTMENT: Nondepartmental

DIVISION: Chair's Office

CONTACT: Delma Farrell

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

PERSON(S) MAKING PRESENTATION:

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL OTHER

SUGGESTED AGENDA TITLE:

Appointment of Joanne Fairchild, R.N., to the DUII Community Advisory Board, Health Care Representative Position

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____
(OR)
DEPARTMENT
MANAGER: _____

Beverly Steink

CLERK OF SUPERIOR COURT
MULTI-COUNTY
OREGON
99 SEP 17 PM 2:40

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ 248-3277

MEETING DATE: OCT 07 1999
AGENDA NO: C-2
ESTIMATED START TIME: 9:30

(Above Space for Board Clerk's use only)

AGENDA PLACEMENT FORM

SUBJECT: Request Approval of Repurchase Deed to Former Owner

BOARD BRIEFING: Date Requested: _____
Requested by: _____
Amount of Time Needed: _____

REGULAR MEETING: Date Requested: Consent Calendar
Amount of Time Needed: _____

DEPARTMENT: Environmental Services DIVISION: Assessment & Taxation

CONTACT: Gary Thomas TELEPHONE #: 248-3380 x22591
BLDG/ROOM #: 166/300/Tax Title

PERSON(S) MAKING PRESENTATION: Consent Calendar

ACTION REQUESTED:

{ } INFORMATION ONLY { } POLICY DIRECTION {X} APPROVAL { } OTHER

Request approval of Repurchase Deed of Former Owner, SHRIL D. LOMAX AND DAVID J. LOMAX.

Resolution and Deed D001654 attached.

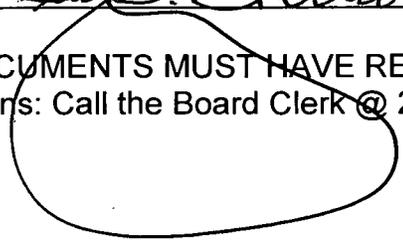
*10/11/99 ORIGINAL Deed & Copies of All
to TAX title*

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____
OR
DEPARTMENT MANAGER: *Al Lantz & Nicholas*

CLERK OF COUNTY COMMISSIONERS
99 SEP 30 AM 8 24
MULTI-COUNTY
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES
Any Questions: Call the Board Clerk @ 248-3277



BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 99-191

Authorizing Execution of Deed D001654 for Repurchase of Tax Foreclosed Property to Former Owners SHRIL D LOMAX and DAVID J. LOMAX

The Multnomah County Board of Commissioners Finds:

- a) Multnomah County acquired the real property hereinafter described through foreclosure of liens for delinquent taxes, and that SHRIL D LOMAX and DAVID J. LOMAX are the former record owners
- b) SHRIL D LOMAX and DAVID J. LOMAX have applied to the County to repurchase the property for the amount of \$1,326.16, which amount is not less than that required by ORS 275.180; and it is in the best interest of the County that the property be sold to the former owner.
- c) The County's Tax Title Division has received \$1,326.16 from the former owners.

The Multnomah County Board of Commissioners Resolves:

1. That the Chair of the Multnomah County Board of County Commissioners is authorized to Execute a deed in a form substantially complying with the attached deed conveying to the contract purchaser the following described real property:

LOT 11, BLOCK 4, SCOFFINS ADD, a recorded subdivision in the City of Portland, County of Multnomah and State of Oregon.

Approved this 7th day of October, 1999.



BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

By *Beverly Stein*
Beverly Stein, Chair

REVIEWED:

Thomas Sponsler, County Counsel
Multnomah County, Oregon

By *Matthew O. Ryan*
Matthew O. Ryan, Assistant County Counsel

Deed D001654

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to SHRIL D. LOMAX AND DAVID J. LOMAX, Grantee, the following described real property, situated in the County of Multnomah, State of Oregon:

LOT 11, BLOCK 4, SCOFFINS ADD, a recorded subdivision in the County of Multnomah and State of Oregon.

The true and actual consideration paid for this transfer, stated in the terms of dollars is \$1,326.16.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

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

SHRIL D. LOMAX
DAVID J. LOMAX
7102 NE 10TH AVE
PORTLAND OR 97211

IN WITNESS WHEREOF, MULTNOMAH COUNTY has caused these presents to be executed by the Chair of the Multnomah County Board of Commissioners the 7th day of October, 1999, by authority of a Resolution of the Board of County Commissioners heretofore entered of record.



BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

By *Beverly Stein*
Beverly Stein, County Chair

REVIEWED:
Thomas Sponsler, County Counsel
Multnomah County, Oregon

By *Matthew O. Ryan*
Matthew O. Ryan, Assistant County Counsel

DEED APPROVED:
Kathleen A. Tuneberg, Director
Tax Collections/Records Management

By *K. A. Tuneberg*
Kathleen A. Tuneberg, Director

After recording, return to 166/300/Multnomah County Tax Title

STATE OF OREGON)
) SS
COUNTY OF MULTNOMAH)

The foregoing instrument was acknowledged before me this 7th day of October, 1999, by Beverly Stein, to me personally known, as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.



Deborah Lynn Bogstad
Notary Public for Oregon
My Commission expires: 6/27/01

MEETING DATE: OCT 07 1999
AGENDA NO: C-3
ESTIMATED START TIME: 9:30

(Above Space for Board Clerk's use only)

AGENDA PLACEMENT FORM

SUBJECT: Request Approval of Repurchase Deed to Former Owner

BOARD BRIEFING: Date Requested: _____
Requested by: _____
Amount of Time Needed: _____

REGULAR MEETING: Date Requested: Consent Calendar
Amount of Time Needed: _____

DEPARTMENT: Environmental Services DIVISION: Assessment & Taxation

CONTACT: Gary Thomas TELEPHONE #: 248-3380 x22591
BLDG/ROOM #: 166/300/Tax Title

PERSON(S) MAKING PRESENTATION: Consent Calendar

ACTION REQUESTED:

{ } INFORMATION ONLY { } POLICY DIRECTION {X} APPROVAL { } OTHER

Request approval of Repurchase Deed of Former Owner, LORI R JACOBS.

Resolution and Deed D001662 attached.

10/1/99 ORIGINAL DEED & COPIES OF ALL TO TAX TITLE

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____
OR
DEPARTMENT MANAGER: *Lori R Jacobs*

CLERK OF COUNTY OF CLATSOP
1999 SEP 30 11 18 AM
CLERK OF COUNTY OF CLATSOP

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES
Any Questions: Call the Board Clerk @ 248-3277

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 99-192

Authorizing Execution of Deed D001662 for Repurchase of Tax Foreclosed Property to Former Owner
LORI R JACOBS

The Multnomah County Board of Commissioners Finds:

- a) Multnomah County acquired the real property hereinafter described through foreclosure of liens for delinquent taxes, and that LORI R JACOBS is the former record owner
- b) LORI R JACOBS has applied to the County to repurchase the property for the amount of \$21,513.92, which amount is not less than that required by ORS 275.180; and it is in the best interest of the County that the property be sold to the former owner.
- c) The County's Tax Title Division has received \$21,513.92 from the former owner.

The Multnomah County Board of Commissioners Resolves:

1. That the Chair of the Multnomah County Board of County Commissioners is authorized to Execute a deed in a form substantially complying with the attached deed conveying to the contract purchaser the following described real property:

AS DESCRIBED IN ATTACHED EXHIBIT A

Approved this 7th day of October, 1999.



BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

By *Beverly Stein*
Beverly Stein, Chair

REVIEWED:

Thomas Sponsler, County Counsel
Multnomah County, Oregon

By *Matthew O. Ryan*
Matthew O. Ryan, Assistant County Counsel

EXHIBIT A

R-99420-0500 TL 50 of Section 20 1S 4E
R-99420-0501
Map 20 1S 4E

Described as follows:

A tract of land in the Southeast One-Quarter of Section 20, Township 1 South, Range 4 East, of the Willamette Meridian, Multnomah County, Oregon, described as follows:

Beginning at a point in the centerline of Powell Valley Road, County Road No. 535, a distance of 264.00 feet Westerly from the intersection of said centerline with the East line of the West One-Half of the Southeast One-Quarter of said Section 20; thence North, along the West line of the W.E. Markell two acre tracts, a distance of 360.35 feet to the Northwest corner thereof; thence Westerly and parallel with the centerline of said Powell Valley Road, County Road No. 535, a distance of 132.00 feet to a point; thence South and parallel with the West line of said Markell two acre tract, a distance of 360.35 feet to a point in the centerline of Powell Valley Road, County Road No. 535; thence Easterly along said centerline to the point of beginning.

Deed D001662

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to LORI R JACOBS, Grantee, the following described real property, situated in the County of Multnomah, State of Oregon:

AS DESCRIBED IN ATTACHED EXHIBIT A.

The true and actual consideration paid for this transfer, stated in the terms of dollars is \$21,513.92.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OF COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

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

LORI R JACOBS
31535 SE BLUFF RD
GRESHAM OR 97030

IN WITNESS WHEREOF, MULTNOMAH COUNTY has caused these presents to be executed by the Chair of the Multnomah County Board of Commissioners the 7th day of October, 1999, by authority of a Resolution of the Board of County Commissioners heretofore entered of record.



BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

By *Beverly Stein*
Beverly Stein, Chair

REVIEWED:
Thomas Sponsler, County Counsel
Multnomah County, Oregon

By *Matthew O. Ryan*
Matthew O. Ryan, Assistant County Counsel

DEED APPROVED:
Kathleen A. Tuneberg, Director
Tax Collections/Records Management

By *K. A. Tuneberg*
Kathleen A. Tuneberg, Director

After recording, return to 166/300/Multnomah County Tax Title

EXHIBIT A

R-99420-0500
R-99420-0501
Map 20 1S 4E

TL 50 of Section 20 1S 4E

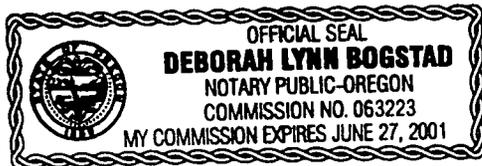
Described as follows:

A tract of land in the Southeast One-Quarter of Section 20, Township 1 South, Range 4 East, of the Willamette Meridian, Multnomah County, Oregon, described as follows:

Beginning at a point in the centerline of Powell Valley Road, County Road No. 535, a distance of 264.00 feet Westerly from the intersection of said centerline with the East line of the West One-Half of the Southeast One-Quarter of said Section 20; thence North, along the West line of the W.E. Markell two acre tracts, a distance of 360.35 feet to the Northwest corner thereof; thence Westerly and parallel with the centerline of said Powell Valley Road, County Road No. 535, a distance of 132.00 feet to a point; thence South and parallel with the West line of said Markell two acre tract, a distance of 360.35 feet to a point in the centerline of Powell Valley Road, County Road No. 535; thence Easterly along said centerline to the point of beginning.

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

The foregoing instrument was acknowledged before me this 7th day of October, 1999, by Beverly Stein, to me personally known, as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.



Deborah Lynn Bogstad
Notary Public for Oregon
My Commission expires: 6/27/01

MEETING DATE: OCT 07 1999
AGENDA NO: C-4
ESTIMATED START TIME: 9:30

(Above Space for Board Clerk's use only)

AGENDA PLACEMENT FORM

SUBJECT: Request Approval of Repurchase Deed to Former Owner

BOARD BRIEFING: Date Requested: _____
Requested by: _____
Amount of Time Needed: _____

REGULAR MEETING: Date Requested: Consent Calendar
Amount of Time Needed: _____

DEPARTMENT: Environmental Services DIVISION: Assessment & Taxation

CONTACT: Gary Thomas TELEPHONE #: 248-3380 x22591
BLDG/ROOM #: 166/300/Tax Title

PERSON(s) MAKING PRESENTATION: Consent Calendar

ACTION REQUESTED:

{ } INFORMATION ONLY { } POLICY DIRECTION {X} APPROVAL { } OTHER

Request approval of Repurchase Deed of Former Owner, CALVIN B. AUSTIN AND LOIS B. AUSTIN.

Resolution and Deed D001663 attached.

10/11/99 ORIGINAL DEED & COPIES OF ALL TO TAX TITLE

CLERK OF COUNTY
99 SEP 30 AM 8:29
OREGON

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____
OR
DEPARTMENT MANAGER: kt [Signature]

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES
Any Questions: Call the Board Clerk @ 248-3277

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 99-193

Authorizing Execution of Deed D001663 for Repurchase of Tax Foreclosed Property to Former Owner CALVIN B. AUSTIN and LOIS B AUSTIN

The Multnomah County Board of Commissioners Finds:

- a) Multnomah County acquired the real property hereinafter described through foreclosure of liens for delinquent taxes, and that CALVIN B. AUSTIN and LOIS B AUSTIN are the former record owners
- b) CALVIN B. AUSTIN and LOIS B AUSTIN have applied to the County to repurchase the property for the amount of \$13,000, which amount is not less than that required by ORS 275.180; and it is in the best interest of the County that the property be sold to the former owner.
- c) The County's Tax Title Division has received \$13,000 from the former owner.

The Multnomah County Board of Commissioners Resolves:

1. That the Chair of the Multnomah County Board of County Commissioners is authorized to Execute a deed in a form substantially complying with the attached deed conveying to the contract purchaser the following described real property:

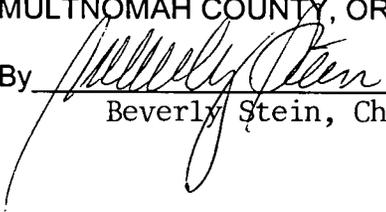
LOT 11, BLOCK 6, PIEDMONT, a recorded subdivision in the City of Portland, County of Multnomah and State of Oregon.

Approved this 7th day of October, 1999.



BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

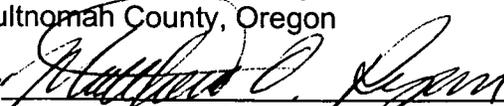
By


Beverly Stein, Chair

REVIEWED:

Thomas Sponsler, County Counsel
Multnomah County, Oregon

By


Matthew O. Ryan, Assistant County Counsel

Deed D001663

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to CALVIN B. AUSTIN AND LOIS B. AUSTIN, Grantee, the following described real property, situated in the County of Multnomah, State of Oregon:

LOT 11, BLOCK 6, PIEDMONT, a recorded subdivision in the County of Multnomah and State of Oregon.

The true and actual consideration paid for this transfer, stated in the terms of dollars is \$13,000.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

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

CALVIN B. AUSTIN AND LOIS B. AUSTIN
C/O GALEN SLOAN
10 N BLANDENA
PORTLAND OR 97217

IN WITNESS WHEREOF, MULTNOMAH COUNTY has caused these presents to be executed by the Chair of the Multnomah County Board of Commissioners the 7th day of October, 1999, by authority of a Resolution of the Board of County Commissioners heretofore entered of record.



BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

By *Beverly Stein*
Beverly Stein, Chair

REVIEWED:

Thomas Sponsler, County Counsel
Multnomah County, Oregon

By *Matthew O. Ryan*
Matthew O. Ryan, Assistant County Counsel

DEED APPROVED:

Kathleen A. Tuneberg, Director
Tax Collections/Records Management

By *K. A. Tuneberg*
Kathleen A. Tuneberg, Director

After recording, return to 166/300/Multnomah County Tax Title

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

The foregoing instrument was acknowledged before me this 7th day of October, 1999, by Beverly Stein, to me personally known, as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.



Deborah Lynn Bogstad
Notary Public for Oregon
My Commission expires: 6/27/01

MEETING DATE: OCT 07 1999
AGENDA NO: C-5
ESTIMATED START TIME: 9:30

(Above Space for Board Clerk's use only)

AGENDA PLACEMENT FORM

SUBJECT: Request Approval of Deed to Contract Purchaser for Completion of Contract.

BOARD BRIEFING: Date Requested: _____
Requested by: _____
Amount of Time Needed: _____

REGULAR MEETING: Date Requested: Consent Calendar
Amount of Time Needed: _____

DEPARTMENT: Environmental Services DIVISION: Assessment & Taxation

CONTACT: Gary Thomas TELEPHONE #: 248-3380 x22591
BLDG/ROOM #: 166/300/Tax Title

PERSON(S) MAKING PRESENTATION: Consent Calendar

ACTION REQUESTED:

{ } INFORMATION ONLY { } POLICY DIRECTION {X} APPROVAL { } OTHER

Request approval of deed to contract purchaser, MARIJAN SKORO and MILA SKORO, for completion of Contract No. 15611 (Property repurchased by former owner).

Resolution and Deed D001664 attached.

10/11/99 ORIGINAL DEED & COPIES OF ALL TO TAX TITLE

99 SEP 30 10 25
GREGOR

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____
OR
DEPARTMENT MANAGER: *K. L. Wilson*

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES
Any Questions: Call the Board Clerk @ 248-3277

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 99-194

Authorizing the Execution of Deed D001664 Upon Complete Performance of a Contract with MARIJAN SKORO and MILA SKORO

The Multnomah County Board of Commissioners Finds:

- a) On 9/9/91, Multnomah County entered into a county contract 15611 recorded in county deed records at Book 2457 Page 699 with MARIJAN SKORO and MILA SKORO for the sale of the real property hereinafter described
- b) The above contract purchaser has fully performed the terms and conditions of said contract and is now entitled to a deed conveying said property to said purchaser; now therefore

The Multnomah County Board of Commissioners Resolves:

1. That the Chair of the Multnomah County Board of County Commissioners is authorized to execute a deed in a form substantially complying with the attached deed conveying to the contract purchaser the following described real property:

AS DESCRIBED ON ATTACHED EXHIBIT A

2. The County's Division of Assessment and Taxation is authorized to forward the signed deed to the appropriate Escrow Officer under letter of instruction which shall provide: (a) that the deed is to be processed only upon the receipt by the County of all funds the County is due in consideration for the above described property, and (b) that if the escrow is closed without the proper payment to the County the deed and any copies there of shall be returned immediately to the County.

Approved this 7th day of October, 1999.



BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

By Beverly Stein
Beverly Stein, Chair

REVIEWED:

Thomas Sponsler, County Counsel
Multnomah County, Oregon

By Matthew O. Ryan
Matthew O. Ryan, Assistant County Counsel

EXHIBIT 'A'

DO01664
R993170550
Property ID# R340410

Beginning at the intersection of the Northerly line of the Powell Valley Road right of way with the East line of the Geise Donation Land Claim, 607.56 feet from the Northeast corner of said claim; thence Easterly tracing the arc of a curve consuming a central angle of $14^{\circ} 42' 45''$ a distance of 90.39 feet to a point; thence continuing along said Northerly line of the right of way North $81^{\circ} 54'$ East a distance of 281.25 feet to the true point of beginning of the tract herein to be described; thence from the above described beginning point North $7^{\circ} 48'$ East 95.29 feet to an iron stake; thence South $86^{\circ} 30'$ East 75.37 feet to an iron stake in the Northwesterly right of way line of said Powell Valley Road; thence South $29^{\circ} 00'$ West along said right of way line 53.81 feet to a point; thence tracing the arc of a curve to the right consuming a central angle of $52^{\circ} 54'$ a distance of 78.11 feet to the place of beginning; all being situated in the Northwest quarter of Section 17, Township 1 South, Range 3 East of the Willamette Meridian, in the County of Multnomah and State of Oregon.

Deed D001664

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to MARIJAN SKORO and MILA SKORO, Grantees, the following described real property, situated in the County of Multnomah, State of Oregon:

AS DESCRIBED ON ATTACHED EXHIBIT A

The true and actual consideration paid for this transfer, stated in the terms of dollars is \$8,812.56.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

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

MARIJAN SKORO
MILA SKORO
3503 W POWELL BLVD
GRESHAM OR 97030

IN WITNESS WHEREOF, MULTNOMAH COUNTY has caused these presents to be executed by the Chair of the Multnomah County Board of Commissioners the 7th day of October, 1999, by authority of a Resolution of the Board of County Commissioners heretofore entered of record.



BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

By *Beverly Stein*
Beverly Stein, Chair

REVIEWED:

Thomas Sponsler, County Counsel
Multnomah County, Oregon

By *Matthew O. Ryan*
Matthew O. Ryan, Assistant County Counsel

DEED APPROVED:

Kathleen A. Tuneberg, Director
Tax Collections/Records Management

By *K. A. Tuneberg*
Kathleen A. Tuneberg, Director

After recording, return to 166/300/Multnomah County Tax Title

EXHIBIT 'A'

D001664
R993170550
Property ID# R340410

Beginning at the intersection of the Northerly line of the Powell Valley Road right of way with the East line of the Geise Donation Land Claim, 607.56 feet from the Northeast corner of said claim; thence Easterly tracing the arc of a curve consuming a central angle of $14^{\circ} 42' 45''$ a distance of 90.39 feet to a point; thence continuing along said Northerly line of the right of way North $81^{\circ} 54'$ East a distance of 281.25 feet to the true point of beginning of the tract herein to be described; thence from the above described beginning point North $7^{\circ} 48'$ East 95.29 feet to an iron stake; thence South $86^{\circ} 30'$ East 75.37 feet to an iron stake in the Northwesterly right of way line of said Powell Valley Road; thence South $29^{\circ} 00'$ West along said right of way line 53.81 feet to a point; thence tracing the arc of a curve to the right consuming a central angle of $52^{\circ} 54'$ a distance of 78.11 feet to the place of beginning; all being situated in the Northwest quarter of Section 17, Township 1 South, Range 3 East of the Willamette Meridian, in the County of Multnomah and State of Oregon.

STATE OF OREGON)
) SS
COUNTY OF MULTNOMAH)

The foregoing instrument was acknowledged before me this 7th day of October, 1999, by Beverly Stein, to me personally known, as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.



Deborah Lynn Bogstad
Notary Public for Oregon
My Commission expires: 6/27/01

MEETING DATE: OCT 07 1999
AGENDA NO: C-6
ESTIMATED START TIME: 9:30

(Above Space for Board Clerk's use only)

AGENDA PLACEMENT FORM

SUBJECT: Request Approval of Deed to Contract Purchaser for Completion of Contract.

BOARD BRIEFING: Date Requested: _____
Requested by: _____
Amount of Time Needed: _____

REGULAR MEETING: Date Requested: Consent Calendar
Amount of Time Needed: _____

DEPARTMENT: Environmental Services DIVISION: Assessment & Taxation

CONTACT: Gary Thomas TELEPHONE #: 248-3380 x22591
BLDG/ROOM #: 166/300/Tax Title

PERSON(S) MAKING PRESENTATION: Consent Calendar

ACTION REQUESTED:

{ } INFORMATION ONLY { } POLICY DIRECTION {X} APPROVAL { } OTHER

Request approval of deed to contract purchaser, MARIJAN SKORO and MILA SKORO, for completion of Contract No. 15612 (Property repurchased by former owner).

Resolution and Deed D001665 attached.

10/1/99 original deed & copies of all to tax title

99 SEP 30 11 08 25
OFFICE OF THE CLERK OF SUPERIOR COURT
OHIO

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____
OR
DEPARTMENT MANAGER: *kt [Signature]*

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES
Any Questions: Call the Board Clerk @ 248-3277

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 99-195

Authorizing the Execution of Deed D001665 Upon Complete Performance of a Contract with MARIJAN SKORO and MILA SKORO

The Multnomah County Board of Commissioners Finds:

- a) On 9/9/91, Multnomah County entered into a county contract 15612 recorded in county deed records at Book 2457 Page 704 with MARIJAN SKORO and MILA SKORO for the sale of the real property hereinafter described
- b) The above contract purchaser has fully performed the terms and conditions of said contract and is now entitled to a deed conveying said property to said purchaser; now therefore

The Multnomah County Board of Commissioners Resolves:

1. That the Chair of the Multnomah County Board of County Commissioners is authorized to execute a deed in a form substantially complying with the attached deed conveying to the contract purchaser the following described real property:

AS DESCRIBED ON ATTACHED EXHIBIT A

2. The County's Division of Assessment and Taxation is authorized to forward the signed deed to the appropriate Escrow Officer under letter of instruction which shall provide: (a) that the deed is to be processed only upon the receipt by the County of all funds the County is due in consideration for the above described property, and (b) that if the escrow is closed without the proper payment to the County the deed and any copies there of shall be returned immediately to the County.

Approved this 7th day of October, 1999.



BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

By *Beverly Stein*
Beverly Stein, Chair

REVIEWED:

Thomas Sponsler, County Counsel
Multnomah County, Oregon

By *Matthew O. Ryan*
Matthew O. Ryan, Assistant County Counsel

EXHIBIT 'A'

D001665
R993170560
Property ID# R340411

Beginning at the intersection of the Northerly line of the Powell Valley Road right of way with the East line of the Geise Donation Land Claim in Section 17, Township 1 South, Range 3 East of the Willamette Meridian, in the County of Multnomah and State of Oregon, a distance of 607.56 feet South $0^{\circ} 19' 30''$ West from the Northeast corner of said Donation Land Claim; thence Easterly tracing the arc of a curve consuming a central angle of $14^{\circ} 42' 45''$ a distance of 90.39 feet to a point; thence continuing along said right of way line North $81^{\circ} 54'$ East a distance of 281.25 feet to an iron stake; thence North $7^{\circ} 48'$ East 95.29 feet to an iron stake, said iron stake marking the true point of beginning of the tract herein to be described; thence from the above described true point of beginning North $7^{\circ} 48'$ East 195.76 feet to an iron stake; thence South $80^{\circ} 04' 30''$ East 146.86 feet to an iron stake in the Northwesterly side line of said Powell Valley Road; thence South $29^{\circ} 00'$ West along said Northwesterly side line of Powell Valley Road 198.07 feet to an iron stake; thence North $86^{\circ} 30'$ West 75.37 feet to the place of beginning.

Deed D001665

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to MARIJAN SKORO and MILA SKORO, Grantees, the following described real property, situated in the County of Multnomah, State of Oregon:

AS DESCRIBED ON ATTACHED EXHIBIT A

The true and actual consideration paid for this transfer, stated in the terms of dollars is \$16,187.98.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

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

MARIJAN SKORO
MILA SKORO
3503 W POWELL BLVD
GRESHAM OR 97030

IN WITNESS WHEREOF, MULTNOMAH COUNTY has caused these presents to be executed by the Chair of the Multnomah County Board of Commissioners the 7th day of October, 1999, by authority of a Resolution of the Board of County Commissioners heretofore entered of record.



BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

By *Beverly Stein*
Beverly Stein, Chair

REVIEWED:

Thomas Sponsler, County Counsel
Multnomah County, Oregon

By *Matthew O. Ryan*
Matthew O. Ryan, Assistant County Counsel

DEED APPROVED:

Kathleen A. Tuneberg, Director
Tax Collections/Records Management

By *K. A. Tuneberg*
Kathleen A. Tuneberg, Director

After recording, return to 166/300/Multnomah County Tax Title

EXHIBIT 'A'

DO01665
R993170560
Property ID# R340411

Beginning at the intersection of the Northerly line of the Powell Valley Road right of way with the East line of the Geise Donation Land Claim in Section 17, Township 1 South, Range 3 East of the Willamette Meridian, in the County of Multnomah and State of Oregon, a distance of 607.56 feet South 0° 19' 30" West from the Northeast corner of said Donation Land Claim; thence Easterly tracing the arc of a curve consuming a central angle of 14° 42' 45" a distance of 90.39 feet to a point; thence continuing along said right of way line North 81° 54' East a distance of 281.25 feet to an iron stake; thence North 7° 48' East 95.29 feet to an iron stake, said iron stake marking the true point of beginning of the tract herein to be described; thence from the above described true point of beginning North 7° 48' East 195.76 feet to an iron stake; thence South 80° 04' 30" East 146.86 feet to an iron stake in the Northwesterly side line of said Powell Valley Road; thence South 29° 00' West along said Northwesterly side line of Powell Valley Road 198.07 feet to an iron stake; thence North 86° 30' West 75.37 feet to the place of beginning.

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

The foregoing instrument was acknowledged before me this 7th day of October, 1999, by Beverly Stein, to me personally known, as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.



Deborah Lynn Bogstad
Notary Public for Oregon
My Commission expires: 6/27/01

MEETING DATE: OCT 07 1999
AGENDA NO: C-7
ESTIMATED START TIME: 9:30

(Above Space for Board Clerk's use only)

AGENDA PLACEMENT FORM

SUBJECT: Request Approval of Deed to Contract Purchaser for Completion of Contract.

BOARD BRIEFING: Date Requested: _____
Requested by: _____
Amount of Time Needed: _____

REGULAR MEETING: Date Requested: Consent Calendar
Amount of Time Needed: _____

DEPARTMENT: Environmental Services DIVISION: Assessment & Taxation

CONTACT: Gary Thomas TELEPHONE #: 248-3380 x22591
BLDG/ROOM #: 166/300/Tax Title

PERSON(S) MAKING PRESENTATION: Consent Calendar

ACTION REQUESTED:

{ } INFORMATION ONLY { } POLICY DIRECTION {X} APPROVAL { } OTHER

Request approval of deed to contract purchaser, MARIJAN SKORO and MILA SKORO, for completion of Contract No. 15613 (Property repurchased by former owner).

Resolution and Deed D001666 attached.

*10/11/99 ORIGINAL DEED & COPIES OF
ALL TO TAX TITLE*

99 SEP 30 11 25
PROPERTY TAX
CLERK'S OFFICE
GREGG

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____
OR
DEPARTMENT MANAGER: kt Lorent & Nicholas

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES
Any Questions: Call the Board Clerk @ 248-3277

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 99-196

Authorizing the Execution of Deed D001666 Upon Complete Performance of a Contract with MARIJAN SKORO and MILA SKORO

The Multnomah County Board of Commissioners Finds:

- a) On 9/9/91, Multnomah County entered into a county contract 15613 recorded in county deed records at Book 2457 Page 709 with MARIJAN SKORO and MILA SKORO for the sale of the real property hereinafter described
- b) The above contract purchaser has fully performed the terms and conditions of said contract and is now entitled to a deed conveying said property to said purchaser; now therefore

The Multnomah County Board of Commissioners Resolves:

1. That the Chair of the Multnomah County Board of County Commissioners is authorized to execute a deed in a form substantially complying with the attached deed conveying to the contract purchaser the following described real property:

AS DESCRIBED ON ATTACHED EXHIBIT A

2. The County's Division of Assessment and Taxation is authorized to forward the signed deed to the appropriate Escrow Officer under letter of instruction which shall provide: (a) that the deed is to be processed only upon the receipt by the County of all funds the County is due in consideration for the above described property, and (b) that if the escrow is closed without the proper payment to the County the deed and any copies there of shall be returned immediately to the County.

Approved this 7th day of October,

1999.



BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

By *Beverly Stein*
Beverly Stein, Chair

REVIEWED:

Thomas Sponsler, County Counsel
Multnomah County, Oregon

By *Matthew O. Ryan*
Matthew O. Ryan, Assistant County Counsel

EXHIBIT 'A'

D001666
R993171000
Property ID# R340442

A tract of land situated in the Northwest one-quarter of Section 17, Township 1 South, Range 3 East of the Willamette Meridian, in the County of Multnomah and State of Oregon, more particularly described as follows:

Commencing at the intersection of the Northerly line of the Powell Valley Road with the East line of the Geise Donation Land Claim at a point which bears South 0° 19' 30" West 607.56 feet from the Northeast corner of said Donation Land Claim; thence Easterly on the arc of a 352.00 foot radius curve to the left and through a central angle of 14° 42' 45" a distance of 90.39 feet (the chord bears North 89° 15' 22" East 90.14 feet) to a point of tangency; thence continuing along said right of way line North 81° 54' East a distance of 281.25 feet to the point of beginning of the tract herein to be described; thence North 7° 48' East 291.05 feet; thence North 80° 04' 30" West 20.01 feet; thence South 7° 48' West 296.49 feet to a point in the North line of said Powell Valley Road; thence North 81° 54' East along said North line, a distance of 20.80 feet to the point of beginning.

Deed D001666

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to MARIJAN SKORO and MILA SKORO, Grantees, the following described real property, situated in the County of Multnomah, State of Oregon:

AS DESCRIBED ON ATTACHED EXHIBIT A

The true and actual consideration paid for this transfer, stated in the terms of dollars is \$4,721.94.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

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

MARIJAN SKORO
MILA SKORO
3503 W POWELL BLVD
GRESHAM OR 97030

IN WITNESS WHEREOF, MULTNOMAH COUNTY has caused these presents to be executed by the Chair of the Multnomah County Board of Commissioners the 7th day of October, 1999, by authority of a Resolution of the Board of County Commissioners heretofore entered of record.



BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

By *Beverly Stein*
Beverly Stein, Chair

REVIEWED:

Thomas Sponsler, County Counsel
Multnomah County, Oregon

By *Matthew O. Ryan*
Matthew O. Ryan, Assistant County Counsel

DEED APPROVED:

Kathleen A. Tuneberg, Director
Tax Collections/Records Management

By *K. A. Tuneberg*
Kathleen A. Tuneberg, Director

After recording, return to 166/300/Multnomah County Tax Title

EXHIBIT 'A'

D001666
R993171000
Property ID# R340442

A tract of land situated in the Northwest one-quarter of Section 17, Township 1 South, Range 3 East of the Willamette Meridian, in the County of Multnomah and State of Oregon, more particularly described as follows:

Commencing at the intersection of the Northerly line of the Powell Valley Road with the East line of the Geise Donation Land Claim at a point which bears South 0° 19' 30" West 607.56 feet from the Northeast corner of said Donation Land Claim; thence Easterly on the arc of a 352.00 foot radius curve to the left and through a central angle of 14° 42' 45" a distance of 90.39 feet (the chord bears North 89° 15' 22" East 90.14 feet) to a point of tangency; thence continuing along said right of way line North 81° 54' East a distance of 281.25 feet to the point of beginning of the tract herein to be described; thence North 7° 48' East 291.05 feet; thence North 80° 04' 30" West 20.01 feet; thence South 7° 48' West 296.49 feet to a point in the North line of said Powell Valley Road; thence North 81° 54' East along said North line, a distance of 20.80 feet to the point of beginning.

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

The foregoing instrument was acknowledged before me this 7th day of October, 1999, by Beverly Stein, to me personally known, as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.



Deborah Lynn Bogstad
Notary Public for Oregon
My Commission expires: 6/27/01

~~DID NOT SPEAK - WAS ARRESTED~~

SPEAKER SIGN UP CARDS

DATE 10/7/99

NAME Richard L. Foeny

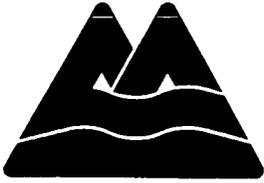
ADDRESS POB 15045

PHD OR 97215

PHONE 235-5953

SPEAKING ON AGENDA ITEM NUMBER OR
TOPIC R-1

GIVE TO BOARD CLERK



MULTNOMAH COUNTY OREGON

DEPARTMENT OF COMMUNITY CORRECTIONS
M. TAMARA HOLDEN, DIRECTOR
421 S.W. 5TH, SUITE 600
PORTLAND, OREGON 97204
(503) 248-3701 FAX (503) 248-3990

BEVERLY STEIN
COUNTY CHAIR

September 22, 1995

Mr. Richard Koenig
P.O. Box 15045
Portland, OR 97215

BOARD OF
COUNTY COMMISSIONERS
1995 OCT 12 AM 11:47
MULTNOMAH COUNTY
OREGON

Dear Mr. Koenig,

In response to our recent meeting concerning your concerns about Family Services, I appreciate having the opportunity to meet with you and discuss these issues.

As we agreed, I have asked Hugh McIsaac to include information in the handout materials given to clients outlining the groups to which his staff belong, including the Domestic Violence Council, the Governor's Task Force on Family Law, and other associations that would be important for clients to know about staff of Family Services. Also, this document indicates that parties may obtain mediation through alternative sources, if such source meets the standards set forth in the Oregon Statutes for child custody mediation.

Additionally, I have had preliminary conversations with members of the Family Violence Intervention Steering Committee for Multnomah County regarding their Philosophy Statement, Definition of Domestic Violence and Membership criteria. While it will take some time to modify their document, I find them receptive to your suggestions.

Once again, thanks for the opportunity of meeting with you and hearing of your concerns.

Sincerely,

M. Tamara Holden, Director
Community Corrections

cc: Helen Cheek
Hugh McIsaac

RECEIVED

OCT 12 1995

DATE: 10/12/95

TO: Tamara Holden, Director of Mult. Co. Community **DEPARTMENT OF COMMUNITY CORRECTIONS**

FROM: Richard L. Koenig, Two parent family advocate

Dear Director:

I was GRATIFIED TO RECEIVE YOUR LETTER of 9/22/95. Apparently it had not been processed before you received my last message. Though my family has never been victimized by your Family Services Department, I can certainly identify with people who have, and therefore thank you for your concern acted upon. To the extent that I was was able to be of assistance in this matter I am honored.

Perhaps you will remember my concern that the Family Services Department is not making their clients capable of "fully informed consent" by educating them about the legal and financial implications of their mediated agreements. Before we conclude this project this should be addressed.

In regard to informing potential clients about their option to use non-court related mediators: 1. There is no statutory requirement to be a mediator. You are proba bly looking at statutes that define a county employee who provides this function. Legitimate options for a couple seeking mediation before divorce can include a trusted friend, relative, pastor, or anyone else, as long as both parties agree.

One other option which I first noticed your program did not disclose nearly seven years ago is "waiver of mandatory" mediation. The law only requires an oportunity to mediate, not that mediation actually occur.

If the couple decides to take their mediation business to the private sector, can the County program ethically retain the part of the divorce filing fee that is designated to pay Hugh McIsaac's program?

As to your concern about the sexist "language" of the Family Violence Intervention Steering Committee of Multnomah County, let me assure you, its not the words they use, as much as the gender bias they actually harbor, that you should be concerned with. As a matter of fact, I think that the language they use is clear and concise and readily understood by the average person. Any change might only preclude potential mediation clients from getting their real belief, currently expressed in their mission statement, that "men are abusers, and women are their victims".

Of course if the Family Violence Committee actually wanted to begin addressing the inequities which are so currently pervasive by funding shelters for male victims of domestic violence, or work on the police bureau to assure that male victims are allowed and encouraged to report violence (Chief Moose denied me an opportunity to report being stabbed by a woman after everybody else in his chain of command did the same thing), then maybe they could legitimately change their mission statement. Until then I don't think we should expect the tiger to change it's stripes.

Richard L. Koenig P.O.Box 15045, Portland, OR 97215, phone 235-5953

BOGSTAD Deborah L

From: ROLLINS Chiquita M
Sent: Wednesday, October 06, 1999 3:23 PM
To: BOGSTAD Deborah L
Cc: JAMES Sharon E; LYONS RoseMary
Subject: Board Briefing Tomorrow

Deb

Per our phone conversation, it is my understanding that Richard Koenig will be testifying tomorrow regarding County staff who are affiliated with the Family Violence Intervention Steering Committee. He called my office this week to request FVISC mission statement and said that he has had an ongoing concern about a particular staff member in the Court's Family Services (Mediation) Division (part of DCJ). He believes that this staff person wrote the Harassment to Homicide report (1994), which included a statement that men are abusers and women are victims in domestic violence. He is concerned that staff "subscribe to this tenet" and wants that office to publicly disclose that their staff have this bias.

As you probably know, he has been barred from the Courthouse, except for official business, because of his inappropriate actions there.

Chiquita

SPEAKER SIGN UP CARDS

DATE 10-7-99

NAME ROGER TROEN

ADDRESS 4226 N. MONT.

PHONE 287-7894

SPEAKING ON AGENDA ITEM NUMBER OR
TOPIC R-1

GIVE TO BOARD CLERK

For Immediate Release
For more information, call:
Lynn Spivak 415.554.3000

SF/SPCA HAILS PASSAGE OF HAYDEN BILL

The San Francisco SPCA is praising the passage of SB 1715, authored by Senator Tom Hayden, as a giant step forward in guaranteeing a home for California's discarded or abandoned animals that end up in shelters.

The bill, which was signed into law by Governor Wilson last month, makes it official state policy "that no adoptable animal should be euthanized if it can be adopted into a suitable home." The same policy is also extended to treatable animals.

Prior to the bill's passage, Hayden argued that too many animals were needlessly dying in shelters. The aim of the legislation is to shift the focus of animal shelters from killing to owner redemption and adoption. The new law mandates more life-saving options for city and county shelter animals, including longer holding periods and the release of shelter animals to "a nonprofit animal rescue or adoption organization...prior to the scheduled killing of that animal."

The law also requires that shelters must provide animals with "necessary and prompt veterinary care, nutrition and shelter and treat them kindly." This may seem unwarranted but historically there has been a disparity between how we as individuals treat our cherished animal companions and how they are treated in the institutions entrusted with their care. Hayden's law will narrow that gap.

"We owe Tom Hayden a huge debt of gratitude for having the courage and leadership to author this bill and we applaud the legislature and governor for making it the law", says SF/SPCA President Richard Avanzino. "The passage of this bill demonstrates that when it comes to animal welfare, California is once again leading the nation."

#1

SPEAKER SIGN UP CARDS

DATE 10-7-99

NAME Wesley Risher

ADDRESS 6840 SW 7th Ave
Portland OR 97219

PHONE 452-0935

SPEAKING ON AGENDA ITEM NUMBER OR
TOPIC Resolution on Condemnation for Hillsdale

GIVE TO BOARD CLERK Library
R-2

#2

SPEAKER SIGN UP CARDS

DATE 10/6/99

NAME Rick Seifert

ADDRESS 2115 SW TYROL
PORTLAND OR 97201

PHONE 244-7109

SPEAKING ON AGENDA ITEM NUMBER OR
TOPIC HILLSDALE LIBRARY Condemnation

GIVE TO BOARD CLERK R-2



Diane Linn, Multnomah County Commissioner

DISTRICT ONE

SUPPLEMENTAL STAFF REPORT

TO: Board of County Commissioners

FROM: Office of Commissioner Linn

DATE: October 7, 1999

RE: Resolution authorizing condemnation of real property necessary for construction of the Hillsdale Branch Library.

1. Recommendation/Action Requested: Approval of Resolution #
2. Background/Analysis: In 1996 the people of Multnomah County voted in favor of building a 21st Century Library system. As part of this bond issue the County was authorized to repair or replace branch libraries and to fund this activity through general obligation bonds. There were four libraries specifically identified in the bond offering, Hollywood, St. Johns, Belmont, and Hillsdale.

The Hillsdale Branch Library building needs to be replaced and the current site is not physically large enough to accommodate a suitable new structure. County staff has conducted an exhaustive search of available properties in the area and found the proposed site provides the only combination of properties that when aggregated, meet the needs of the community and the library.

The proposed library site is comprised of three properties. One piece owned by the Oregon Department of Transportation (ODOT), the second property is SW Bertha Court, a Portland City Street, and the third property is a commercial site formally containing a Winchells Donut store. The ODOT site is listed as surplus property and is



available for the library. Bertha Court will be relocated, with the original right-of-way being vacated by the City of Portland. This vacation was approved by the Portland Planning Commission and forwarded to the City Council on September 21st 1999. The former Winchell's Donut site is privately held and is currently being leased by Papa John's Pizza.

The issue for this resolution is the acquisition of the Winchells site. The owners do not wish to sell the property. However, the County needs the property to provide safe, efficient access to the library site, sufficient on-site parking, and enough land for a successful library project. A Level II Environmental assessment of the adjoining property showed petroleum contamination that apparently stemmed from a gas station that existed on the subject property prior to Winchell's. The cost of remediation will become a part of the value negotiation on the property.

Following extensive community and intergovernmental meetings the proposed site was judged to provide a unique opportunity to meet a broad range of community goals. The Hillsdale Vision Plan has identified the need for a "gateway project" that will anchor the business community and assist in the creation of a town center atmosphere. The Plan also identifies the need for major restructuring of the Capitol Highway, Bertha Blvd. intersection. The library project is the catalyst for this intersection-restructuring project. Finally, the Hillsdale Library is one of the busiest libraries in the County system. The proposed site allows the County to continue to provide high quality library service to the southwest hills community.

3. Financial Impact: Acquisition funds are provided for in Fund 235 of the 1999-2000 Budget with the amount being set and dispersed as described in Resolution #.

4. Legal Issues: The County's acquisition of this site may be contested by the owners.

5. Controversial Issues: There are three controversial issues directly associated with this resolution. First is the condemnation of private property for a public use. Second is locating the library on a complex site that will involve major transportation adjustments. The third controversial issue will be the process of remediation of the contamination.

6. Link to Current County Policies: The County has adopted a program to provide the highest quality 21st Century libraries possible. This project is an important component of that effort.

This project will provide walking access to the branch library by students from Mary Rieke Elementary School, Robert Grey Middle School, and Wilson High School. Additionally, this site is within walking distance of a County Touchstone project. Also, the project site will support the Hillsdale Community in achieving the adopted goal of developing a town center. All of these outcomes support the County's commitment to community building.

Geographical dispersion of library facilities in order to serve the widest population is a departmental policy. This site will provide adequate geographical separation from other library facilities

7. Citizen Participation: The library staff, facilities staff, and Commissioner Linn, along with representatives of other jurisdictions have participated in an exhaustive citizen process for over fourteen months. The project has the support of the Hillsdale Neighborhood Association, the Hillsdale Business & Professional Association, and the Southwest Neighborhoods, Inc.

8. Other Government Participation: This project involves directly Multnomah County, the City of Portland, and Metro. Less directly the Portland Public Schools and the Oregon Department of Transportation have been consulted and play a role in the project.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Authorizing Condemnation of Real Property Necessary for Construction of the Hillsdale Branch Library.

The Multnomah County Board of Commissioners finds:

- a. It is necessary to acquire the property described in Exhibits A and B attached hereto for the purpose of constructing the Hillsdale Branch Library. The property will be used for dedication to the City of Portland for the relocation of Bertha Court and for Library purposes.
- b. The project has been planned and located in a manner that is most compatible with the greatest public good and the least private injury.

The Multnomah County Board of Commissioners resolves:

1. The Board finds and declares that it is necessary to acquire the property described in Exhibits A and B for the purpose of constructing the Hillsdale Branch Library.
2. In the event that no satisfactory agreement can be reached with the owners of the property as to the purchase price, legal counsel is authorized and directed to commence and prosecute to final determination such condemnation proceedings as may be necessary to acquire the property. Such action shall be in accordance with all applicable laws, rules, and regulations governing such acquisition.
3. Upon final determination of any such proceeding, the deposit of funds and payment of judgment conveying the property to the County is authorized.
4. The Board authorizes the creation of a fund in the amount of the estimate of just compensation for each such property, which shall, upon obtaining judgment in the condemnation action, be deposited with the Clerk of the Court wherein the action was commenced for the use of the defendants in the action.

Dated this 7th day of October, 1999.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Beverly Stein, Chair

REVIEWED:

THOMAS SPONSLER, COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON

By _____

John Thomas, Assistant County Counsel

Property Description

Tax lot 2800, 1S – 1E SW ¼ of Section 16 in the City of Portland, Multnomah County Oregon as shown on Exhibit B

Legal Description:

A tract of land in the Southwest one-quarter of Section 16, Township 1 South, Range 1 East, of the Willamette Meridian in the City of Portland, County of Multnomah and State of Oregon, more particularly described as follows:

Beginning at the point of intersection of the Easterly line of County Road No. 910, with the Southerly line of Capitol Highway, County Road No. 1050, at which point is set a ½ inch by 22 inch iron pipe driven 22 inches in the ground, located 709.19 feet North and 1212.48 feet West of the quarter Section corner between Sections 16 and 21; running thence from said point of beginning 4°48'40" West on the Easterly line of said County Road No. 910 a distance of 102.88 feet to a ½ inch iron pipe driven 24 inches in the ground; thence North 75°42' East parallel with said County Road No. 1050 a distance of 102.88 feet to a 1 inch pipe driven 21 inches in the ground; thence North 4°48'40" East parallel with the said County Road No. 910 a distance of 102.88 feet to a 1 inch by 26 inch pipe driven 25 inches in the ground in the Southerly line of said County Road No. 1050; thence South 75°42' West along the Southerly line of said County Road No. 1050 a distance of 102.88 to the point of beginning.

EXCEPTING THEREFROM that portion lying within SW Capitol Highway running along the Northerly line.

Bullivant | Houser | Bailey

A Professional Corporation

ADAM LOWRY
E-mail: adamlowry@bullivant.com
Direct Dial: (503) 499-4683

October 7, 1999

Clerk of the Board
Board of County Commissioners
1120 SW Fifth Street, Suite 1515
Portland, Oregon 97204

Re: Hillsdale Library

Dear Clerk:

Pursuant to ORS 192.420, please provide us with a tape of the board hearing and a copy of the Board of County Commissioner's resolution on October 7, 1999 regarding the Hillsdale Library. We will be happy to pay for the reasonable copying costs.

Very truly yours,



Adam C. Lowry
Project Assistant to John Junkin

AL
cc: John M. Junkin

G:\GLOBAL\MO3\LOWRY HILLSDALE.LTR..DOC

BOARD OF
COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
99 OCT -8 PM 5:38

✓ DONE
10/11/99
WES

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 99-197

Authorizing Condemnation of Real Property Necessary for Construction of the Hillsdale Branch Library.

The Multnomah County Board of Commissioners finds:

- a. It is necessary to acquire the property described in Exhibits A and B attached hereto for the purpose of constructing the Hillsdale Branch Library. The property will be used for dedication to the City of Portland for the relocation of Bertha Court and for Library purposes.
- b. The project has been planned and located in a manner that is most compatible with the greatest public good and the least private injury.

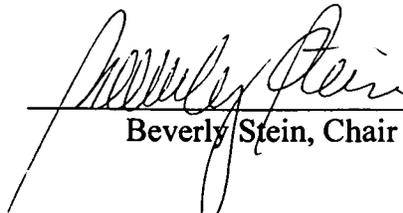
The Multnomah County Board of Commissioners resolves:

1. The Board finds and declares that it is necessary to acquire the property described in Exhibits A and B for the purpose of constructing the Hillsdale Branch Library.
2. In the event that no satisfactory agreement can be reached with the owners of the property as to the purchase price, legal counsel is authorized and directed to commence and prosecute to final determination such condemnation proceedings as may be necessary to acquire the property. Such action shall be in accordance with all applicable laws, rules, and regulations governing such acquisition.
3. Upon final determination of any such proceeding, the deposit of funds and payment of judgment conveying the property to the County is authorized.
4. The Board authorizes the creation of a fund in the amount of the estimate of just compensation for each such property, which shall, upon obtaining judgment in the condemnation action, be deposited with the Clerk of the Court wherein the action was commenced for the use of the defendants in the action.

Dated this 7th day of October, 1999.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Beverly Stein, Chair

REVIEWED:
THOMAS SPONSLER, COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON

By 
John Thomas, Assistant County Counsel

Legal Description:

A tract of land in the Southwest one-quarter of Section 16, Township 1 South, Range 1 East, of the Willamette Meridian in the City of Portland, County of Multnomah and State of Oregon, more particularly described as follows:

Beginning at the point of intersection of the Easterly line of County Road No. 910, with the Southerly line of Capitol Highway, County Road No. 1050, at which point is set a ½ inch by 22 inch iron pipe driven 22 inches in the ground, located 709.19 feet North and 1212.48 feet West of the quarter Section corner between Sections 16 and 21; running thence from said point of beginning 4°48'40" West on the Easterly line of said County Road No. 910 a distance of 102.88 feet to a ½ inch iron pipe driven 24 inches in the ground; thence North 75°42' East parallel with said County Road No. 1050 a distance of 102.88 feet to a 1 inch pipe driven 21 inches in the ground; thence North 4°48'40" East parallel with the said County Road No. 910 a distance of 102.88 feet to a 1 inch by 26 inch pipe driven 25 inches in the ground in the Southerly line of said County Road No. 1050; thence South 75°42' West along the Southerly line of said County Road No. 1050 a distance of 102.88 to the point of beginning.

EXCEPTING THEREFROM that portion lying within SW Capitol Highway running along the Northerly line.

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

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Results from RESULTS: Reopening Library Branches

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

REGULAR MEETING: DATE REQUESTED: Thursday
Wednesday, October 7, 1999
AMOUNT OF TIME NEEDED: 10 minutes

DEPARTMENT: Library Services DIVISION: DLS Administration

CONTACT: Nicole Newsom TELEPHONE #: 248-5402 x24805
BLDG/ROOM #: 317/DLS Admin

PERSON(S) MAKING PRESENTATION: Michael Brown, Janet Schmidt, Carol Uhte, Sharon Stack, Elizabeth Rothery, Gail DesGranges

ACTION REQUESTED:

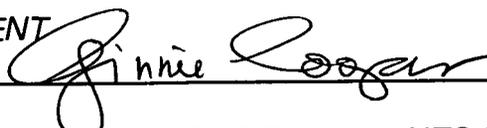
INFORMATIONAL ONLY POLICY DIRECTION APPROVAL OTHER

SUGGESTED AGENDA TITLE:

Results from RESULTS: Reopening Library Branches

CLERK OF COUNTY COMMISSIONERS
99 SEP 30 PM 3:31
MULTI-COUNTY
OREGON

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____
(OR)
DEPARTMENT
MANAGER: 

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ 248-3277

LIBRARY BRANCH RE-OPENINGS

| | | | | | | | | | | | |
|--|---|----------|--------------|---------|-----------------|---------|--------|---------|----------|---------|--|
|  | <h2>Team Composition</h2> <p>Library Renovation Manager Community Service Supervisor Facilities/Operations Supervisor Learning Systems ASIST (Automation Services) Branch Supervisor</p> | | | | | | | | | | |
| <h2>Problem Statement</h2> <p>How do you get a renovated branch re-opened with the building operational, technology working and staff trained and ready to work?</p> | <h2>Check</h2> <ul style="list-style-type: none"> • Evaluate/make changes to staff training • Refine grid/Process • ASIST evaluation • Building construction checklists | | | | | | | | | | |
| <h2>Plan</h2> <p>Coordinate:</p> <ul style="list-style-type: none"> • Building completion with construction contractors • County Facilities Team • Assess staff readiness • In-Service training/teambuilding • Technology ordered | <h2>Act</h2> <ul style="list-style-type: none"> • Integrate improvements to planning and coordination • Coordinate ASIST activities • Implement changes to in-service training <p>Cost Savings: Meeting Reduction Time Pre-Gresham \$7,350 Rockwood 0</p> | | | | | | | | | | |
| <h2>Do</h2> <p>Re-opened:</p> <table border="0"> <tr> <td>Gresham</td> <td>12-17-98</td> </tr> <tr> <td>Capital Hill</td> <td>2-16-99</td> </tr> <tr> <td>Gregory Heights</td> <td>3-02-99</td> </tr> <tr> <td>Albina</td> <td>6-22-99</td> </tr> <tr> <td>Rockwood</td> <td>9-14-99</td> </tr> </table> | Gresham | 12-17-98 | Capital Hill | 2-16-99 | Gregory Heights | 3-02-99 | Albina | 6-22-99 | Rockwood | 9-14-99 |  |
| Gresham | 12-17-98 | | | | | | | | | | |
| Capital Hill | 2-16-99 | | | | | | | | | | |
| Gregory Heights | 3-02-99 | | | | | | | | | | |
| Albina | 6-22-99 | | | | | | | | | | |
| Rockwood | 9-14-99 | | | | | | | | | | |

ROC REOPENING ALL DATES TENTATIVE

| Now | 6 weeks Aug. 1 | 4 weeks Aug. 15 | 3 weeks Aug. 22 | 2 weeks Aug. 29 | 1 week Sept. 5 | 1 day Sept. 13 | Opening day Sep. 14 |
|---|---|---|---|--|---|------------------------------|------------------------|
| Talk w/Sami & Mary Beth re: volunteer needs (1) | Remind Jan T. to create reopen PR collection | Update Sharon in Phone Room ER | Schedule utility worker to hang clocks, etc. | Unpack and set up pc's? | HOLIDAY SEPTEMBER 6 | Fill handout racks | |
| Talk with Sylvia re: Dyna pieces (2) | Update Brian on install schedules | Turnaround sheets for 1st Wave of staff | Schedule on-call post-opening staff | Collection ID signage? | Volunteer orientation | Fill Ginnie Coupon baskets | |
| Check inventory of Ginnie Coupons and Reg slips. | Talk to Wes/Becky re: delivery changes | Plan/confirm opening displays | Emergency list of key contacts RM | Notify Larry S. of any final alarm codes | Staff returns and begins training | Change phone msg. | |
| Talk w/ Ellen F., Youth librarians re: programming | Plan/schedule Team building | Contact branch volunteers re: help/orientation SS | Order Tri-Met brochures/info ER | Assess supply needs, esp. for new equipment | Confirm staff food/treats for opening day | P/U beginning cash at Admin. | |
| Talk w/Jan T. re: opening festivities | Plan pre-opening staffing | Create Ginnie coupon p/u, response routine (4) | Resume US mail ER | Make sure there's toilet paper, paper towels, soap, etc for returning staff | Distribute keys/alarm codes | ILL procedures resume | |
| Identify all training needs/priorities (3) | Plan post-opening staffing | Reinstate janitor/garbage | Check w/ Don B. re: plexiglass sign & brochure holders & search station signs | Order patron diskettes from Wes | Begin unpacking workroom | | |
| ID core branch staff SE, CM, JK | Prepare pc cleaner kits: Trainers SE Page training iss. JK supplies ASIST | Send AA memo re: opening schedule ER | Order voicemail? | Reminder: ask facilities to start regular landscaping maint. when contractor turns over branch | Take "open the lib." supply kit to branch | | |
| Create individual development chart for each staffer at GSM, CAP, GRH, ALB JK | Schedule Exteam for reopening RM | Check on reinstalling copier WS | | Order coffee ER | Resume regular delivery/sorting routines | | |
| Check w/CTT to ID clerk training JK | Give Anne S. re-start dates for Oreg., etc. | Final shipment from T-BR/Admin to deep storage ER | | | Return mending kits Esther Gutierrez | | |
| Assess staff readiness—refer to PSM notes JK | Check with Delete re: opening day LP collection ^{ER} | Update public BB's? | | | Deliver pc training kit w/training | | |
| | | Put date on outdoor sign? | | | Send call # changes to branch ER | | |

| | | | | | | | |
|--|--|---|--|--|-----------------------------|--|--|
| Create PR kit for each branch & training use Jan Thenell | | Give Anne dates for resuming Wall St., NYT, Oregonian, etc. | | | Resume new book shipments | | |
| FAQs for each branch & training use JM | | | | | ASIST helps reload pc files | | |
| Consult computer helper resources: Greg Doyle, Dale Smith, Sami Scriptor, Overall planning JK Recruitment Sami Scriptor | | | | | Visa training | | |
| Self-check: Lead operation w/staff Get vendor on deck JM, ER | | | | | Bldg. Orientation | | |
| Roll ref staff into CEN for training: Talk w/Jean BCM, RM Oversee JK? | | | | | | | |
| Talk w/FOL re: kiosk/display JM | | | | | | | |

- (1) Volunteers: computer helpers, greeters, Self-Check helpers, orientation for regular volunteers
- (2) Dyna dates: to unmask holdings, allow holds to be placed on holdings, allow items to fill holds, activate hold alerts
- (3) Training: computer helpers, Self-Check, electronic reference, team building
- (4) Ginnie Coupon routine: method to ensure timely pick up from baskets, sending to Admin, response, send copies of question/response to staff, keep baskets full, keep stock in branch, anticipate questions/comments and have generic responses ready

**LIBRARY BRANCH RE-OPENINGS
STAFF TRAINING
1999 - 2000**

Team Building : Day One

- Develop Mission Statement for Branch
Focus on community served
Emphasize plan of service
- Develop Ground Rules for Staff
- Develop Branch meeting guidelines
- Provide exercises that help to build communication skills.

Policies & Issues: Day Two

- Discuss issues such as branch safety, intellectual freedom, and building good public relations.
- Learn about Search Station and Internet Policies, the library planning process, library use policies, and special services such as LIBROS.

Technology Training: Day Three

- Develop an overview of electronic resources now available to our customers.
- Understand the role of Automation Services and Technomentors.
- Learn to use staff tools such as Windows NT, the Netscape browser, and the Intranet.

Back to the Branch: Days Four, Five, Six

- Begin to work as a team getting the branch ready to open.
- Learn about "nuts and bolts" items such as the delivery schedule, handling cash, and using the new telephones.
- Learn how to troubleshoot problems with the new computer and printers.

AUTOMATION SERVICES INVOLVEMENT WITH VOLUNTEERS 1994 - 1999

TechnoHosts - these volunteers have worked at each renovated branch and Central Library upon re-opening for about four months. TechnoHosts help the public become familiar with the Library's Web page, DYNA, Magazines Online, and specialized CD ROM databases and educational games for children. They trouble-shoot printer problems and help customers use the self-checkout machines. TechnoHosts also give one-on-one assistance to patrons each Sunday at locations with upgraded technology for the grant-funded project, *CyberSundays*.

Automation Services staff people shared training responsibilities with librarians, library assistants and Volunteer Services staff. Automation Services staff provides training about printers, self-checkout stations, and CD ROM products, occasionally helping with web training. Volunteer hours for TechnoHosts are credited to the location where they volunteer.

Number of volunteers:

| | TechnoHosts for renovated branches | TechnoHosts for CyberSundays |
|-----------------|------------------------------------|------------------------------|
| Albina | 10 | 3 |
| Capitol Hill | 15 | 2 |
| Central | 40 | 11 |
| Gregory Heights | 10 | 2 |
| Hillsdale | | 3 |
| Gresham | 20 | 3 |
| Midland | 30 | 6 |
| Rockwood | 5 | 2 |

Computer Room Helpers - Automation Services utilizes the skills of computer-savvy volunteers in a variety of ways and has provided one-on-one training to about 10 volunteers during the last 5 years.

Web Assistants - Community Information Services utilizes the skills of volunteers to build and maintain web pages for CascadeLink. They have employed about 5 volunteers in the last three years.

Volunteer Hours for Automation Services volunteers:

| | |
|---------|-----|
| 1994-95 | 367 |
| 1995-96 | 695 |
| 1996-97 | 665 |
| 1997-98 | 656 |
| 1998-99 | 512 |

TOTAL NUMBER OF VOLUNTEERS TRAINED IN TOTAL OR IN PART
BY AUTOMATION SVS STAFF: 177

TOTAL HOURS FOR
AUTOMATION SVS VOLUNTEERS: 2,895

#1

SPEAKER SIGN UP CARDS

DATE 10/7/99

NAME

Jose Rivera

ADDRESS

6706 NE Killingsworth

Portland 97218

PHONE

493-9067

SPEAKING ON AGENDA ITEM NUMBER OR
TOPIC R-4 Dept of Comm & Fam Services

GIVE TO BOARD CLERK

#2

SPEAKER SIGN UP CARDS

DATE 10/7/99

NAME

Doug Glancy

ADDRESS

REACH Community Development
1135 SE Salmon Portland 97214

PHONE

231-0682

SPEAKING ON AGENDA ITEM NUMBER OR
TOPIC R-4

GIVE TO BOARD CLERK

#3

SPEAKER SIGN UP CARDS

DATE 10-7-99

NAME GALEN SLOAN

ADDRESS 10 N BLENDEAN

PHONE 284 9401

SPEAKING ON AGENDA ITEM NUMBER OR
TOPIC 4525 MEGRAND, REDEMING PROPERT

R 4 GIVE TO BOARD CLERK

#4

SPEAKER SIGN UP CARDS

DATE 10/21/99

NAME Jack Kelly

ADDRESS P.O. Box 8122

PDX

PHONE 282-3373

SPEAKING ON AGENDA ITEM NUMBER OR
TOPIC affordable Housing

GIVE TO BOARD CLERK R-4

#5

SPEAKER SIGN UP CARDS

DATE 10-7-99

NAME NICK SAUVIE

ADDRESS ROSE CDC

7211 SE 62ND 97206

PHONE 788-8052

SPEAKING ON AGENDA ITEM NUMBER OR
TOPIC AFFORDABLE HOUSING PROGRAM

GIVE TO BOARD CLERK

R-4

#60

SPEAKER SIGN UP CARDS

DATE 10-7-99

NAME Cynthia Winter

ADDRESS Habitat for
Humanity

PHONE 287-9529

SPEAKING ON AGENDA ITEM NUMBER OR
TOPIC Mult Co Prop. R-4

GIVE TO BOARD CLERK

#7

SPEAKER SIGN UP CARDS

DATE 10/7/99

NAME

PETER WILGX

ADDRESS

2243 NE 20th

PORTLAND, OR

PHONE

281-8011 (D)

SPEAKING ON AGENDA ITEM NUMBER OR
TOPIC R-4

GIVE TO BOARD CLERK

#8

SPEAKER SIGN UP CARDS

DATE 10/7/99

NAME

HERON BARNETT

ADDRESS

MAP

135 SW ASH 97204

PHONE

802-850

SPEAKING ON AGENDA ITEM NUMBER OR
TOPIC Tax free development

GIVE TO BOARD CLERK



MULTNOMAH COUNTY OREGON

DEPARTMENT OF COMMUNITY AND FAMILY SERVICES
DIVISION OF COMMUNITY PROGRAMS & PARTNERSHIPS
421 SW Sixth Avenue, Suite 500
PORTLAND, OREGON 97204-1620
(503) 248-3999 fax # (503) 248-3332

BOARD OF COUNTY COMMISSIONERS
BEVERLY STEIN • CHAIR OF THE BOARD
DIANE LINN • DISTRICT 1 COMMISSIONER
SERENA CRUZ • DISTRICT 2 COMMISSIONER
LISA NAITO • DISTRICT 3 COMMISSIONER
SHARRON KELLEY • DISTRICT 4 COMMISSIONER

MEMORANDUM

TO: Board of County Commissioners

FROM: Technical Review Committee for the Multnomah County Affordable Housing Development Program (AHDP)

VIA: Mary T. Li, DCPM Manager

VIA: Lorenzo T. Poe Jr, DCFS Manager

Carol M. Li for M.T. Li
Lorenzo Poe Jr

RE: 1999 Affordable Housing Development Program Disposition Recommendations

DATE: September 10, 1999

I. Recommendation/action requested:

The Board of County Commissioners is scheduled to conduct a public hearing on the recommendation for disposition of tax foreclosed property for low income housing purposes as detailed in the attachments. Following the receipt of testimony and consideration by Board members, the Board is recommended to transfer 22 properties to applicant non profit housing agencies to foster the development of affordable housing for low income families in our community.

This memo transmits the report from the AHDP Technical Review Committee. The report includes: a matrix summary of the properties applied for, agency applicants and Technical Review Committee recommendation; an AHDP rating report for each application submitted, and a board resolution for transfer in accordance with the committee recommendations.

Background/analysis:

The Affordable Housing Development Program is established to consider the use of tax foreclosed property to foster the development of affordable housing serving low income families in our community. The program is provided by county ordinance No. 895. This

ordinance allows for no-cost transfer of property to non-profit housing sponsors and sets notification, selection, and transfer requirements.

The committee recommends transfer of 22 properties to non-profit housing agencies at nominal cost for the purpose of fostering the development of affordable housing.

The recommended transfer will result in the development of 24 rental housing units, including: 2 – 2 bedroom houses for rent to very low income families, a duplex for rent to very low income families, a 15 unit apartment building designed for persons with physical disabilities and a five bedroom group home for individuals with special needs.

All rental units created by this recommendation are affordable to families at or below 50% of the area median income. The average length of affordability is 60 years for the housing developed by this recommendation. The rental portion of this recommendation results in a community investment in permanent housing affordability.

16 of the available properties have been recommended for transfer and development as home ownership opportunities for lower income families. A variety of financing mechanisms and restrictions has been employed by the housing sponsors to make the houses affordable to lower income families. Many of the home ownership projects employ resale restrictions and equity limiting agreements to ensure affordability over time. This also has the effect of preserving the subsidy of the County donated land in the form of retained affordability. 17 new dwelling units will be developed for sale under this recommendation.

III. Financial impacts:

The 22 properties recommended for transfer represent a total of \$198,143.00 in unpaid taxes and expenses owed to the county. The county assessor's records report the most recent value of these properties to be \$1,122,500. The recommended recipients for the properties propose to generate \$3,414,052 in development funding to carry out the proposed projects. This is a development contribution ratio of \$3 for every \$1 of assessed value.

IV. Legal issues:

State law permits the Board of County Commissioners to make rules necessary for the administration and disposition of tax foreclosed property. County ordinance 895 provides criteria and time lines for disposition of such property under the procedures of the Affordable Housing Development Program. The recommendation of the technical committee for the AHDP is consistent with governing guidelines of ordinance 895.

V. Potential Controversial issues that may arise During Hearing Process:

Mutability of the property list: Some problems occurred prior to and during the distribution of the available property list for this year's AHDP properties. Two properties, 4525 NE Grand Avenue and 4025 NE 9th Avenue, have suffered continuing attempts by the delinquent owners, or their representatives, to reacquire the properties from the County, though the established period of redemption has long expired. Agencies interested in these properties have been contacted by the delinquent owners and received confusing and contradictory information concerning the actual property availability. Two other properties were removed from consideration for AHDP transfer after the list of properties had been made distributed to the non-profits. Another property, 10125 North Allegheny, was removed from the auction list and made available through the AHDP well after the list was distributed. The non-profit development community is aware of the volatile nature of property transactions in general and those that affect tax-foreclosed in particular. The housing agencies need to plan development and financing strategies around particular properties expending considerable personnel and professional time to do so. A stable, attestable list of properties is a benefit both to AHDP staff and the participating agencies.

Competing applications: Seven of the properties received competing applications. Many of the competitive applications were very compelling. In almost every instance the Committee recommendations hinged upon the ability of the agency to demonstrate the housing developed would benefit the lowest income families over the longest term. However, most of the competitive applications **not** recommended for transfer were both feasible and met the AHDP goals. In other words many good proposals were received that could not be recommended.

In this context, the county has received a complaint from one of the applicants which was not successful in the cycle. This applicant applied for two properties and the Committee is recommending in each case that the property be awarded to one of the other proposals. This recommendation is made based on the adopted criteria and procedures of the Affordable Housing Development Program.

Incomplete Ad hoc Collaborative Process: Prior to the release of the AHDP list, many of the community development corporations operating in northeast Portland met amongst themselves and jointly reviewed the potential list of AHDP properties located in the northeast area. The purpose of the review appears to have been to identify the development potential of all properties and to discuss which agencies were considering an application for the properties. This collaboration appears to have had mixed results.

- Within the geographic area reviewed by the group a large number of developable properties received proposals to be considered by the county. Although a number of these properties did not receive multiple competing proposals, the policies and guidelines of the AHDP program were met and the result is a record number of properties distributed to a large number of local agencies.

- On the other hand, the collaboration was incomplete. Some agencies which may have been interested in the coordinated property review were not included. Further, only the northeast Portland area was included in the CDC review.

The collaboration between participating agencies needs to be discussed further between AHDP staff and the CDC network.

Emerging policy issues and advice by the Technical Review Committee: The most controversial aspect of this year's Technical Review Committee review of agency applications was the trend towards more home ownership proposals and the public benefit derived from those proposals. Though the Technical Review Committee felt that all of the recommended agency proposals met the established goals and values of the AHDP, the Technical Review Committee wishes to re-evaluate and make recommendations to the Board concerning the homeownership requirements and restrictions of the AHDP. Some basic questions are being asked. Should the 80% of area median income requirements for purchasers be reduced for properties transferred under the AHDP? What should the definition of "long term affordability" mean in the context of homeownership proposals. What restrictions should the County impose on second mortgages effectively capitalized with the value of the subsidy of the AHDP transferred properties? How does the County best ensure that the land subsidy benefits the buyers, is retained over time? How can the County best ensure that profit taking by the developers of AHDP is productively reinvested in affordable housing? The Technical Review Committee is composing a written discussion of these issues to bring to the Community Development Network and other bodies. After consultation the Committee will bring its findings and recommendation to the Board of County Commissioners.

VI. Link to current county policies:

The need for affordable housing continues to be important to our community. The countywide Consolidated Plan (Housing and Community Development Commission 1995-1999) includes among its #1 priorities: *Increase the supply of affordable housing through new construction and rehabilitation of vacant, abandoned and substandard housing, 50% for large families and 10% -15% for special needs families.*

VII. Citizen participation:

The AHDP policies and administrative procedures were adopted by the Board in a public meeting. All program applicants are required to notify local neighborhood associations and the immediate neighbors of the proposed project. The county citizen involvement committee has a member on the AHDP committee. The final hearing was noticed in the local newspaper and is scheduled at a regular public meeting of the Board.

VIII. Other government participation:

The technical review committee of the AHDP has appointed representatives from the cities of Portland and Gresham and each of Multnomah County Commissioners. AHDP is a housing strategy supported by the countywide HCDC. Many of the properties recommended for transfer will require participation by the State of Oregon and local foundations for project completion.

Please feel free to contact Cecile Pitts or HC Tupper from the DCFS Community Development Program if you wish to discuss this material. Members of the committee will be present at the hearing to respond to questions or issues.

**TABLE A
MULTNOMAH COUNTY
AFFORDABLE HOUSING DEVELOPMENT PROGRAM
1999 REVIEW SUMMARY TABLE**

| PROPERTY | APPLICANT | PROPOSAL BRIEF | TAXES & EXPENSES | TOTAL PROJECT COSTS | RECOMMENDATION |
|--|-----------------------|--|------------------|---------------------|------------------|
| 1. 4734 SE 59 th Avenue #99218-0550 \$78,500 - Market Value 4000 S/F | ROSE CDC | New Construction: SFR Home Ownership Accessible, disabled buyers | \$29,936.32 | \$83,700.00 | Approve Transfer |
| 2. 838 NE Alberta Street #52070-7150 \$63,000 - Market Value 3000 S/F | Franciscan Enterprise | Renovation: SFR Very low income rental 2 bedroom home | \$12,948.59 | \$81,637.00 | Approve Transfer |
| 3. 5111 NE 29 th Avenue #41390-6150 \$44,400 - Market Value 4000 S/F | Franciscan Enterprise | Renovation: SFR Very low income rental 2 bedroom home | \$4,706.02 | \$52,985.00 | Approve Transfer |
| 4. 4525-27 NE Grand Avenue #38430-2570 \$113,300 - Market Value 5000 S/F | Housing Our Families | Renovation: 2 Units Very low income rental 2 - 2 bedroom apts. | \$7,800.23 | \$77,310.00 | Approve Transfer |
| 5. Lot near NE 13 th & Highland #17310-3940 \$24,800 - Market Value 3900 S/F | Portland Habitat | New Construction: SFR 3 bedroom home Sale/Home Ownership | \$1,000.00 | \$53,000.00 | Approve Transfer |
| 6. Former 1122 NE Beech Street #49710-2330 \$21,900 - Market Value 1980 S/F | Portland Habitat | New Construction: SFR 3 bedroom home Sale/Home Ownership | \$2,432.51 | \$53,000.00 | Approve Transfer |
| 7. 2645 North Willis #65523-3200 \$133,100 - Market Value 5000 S/F | NECDC | Renovation: SFR 3 bedroom home Sale/Home Ownership | \$6,900.29 | 94,960.00 | Approve Transfer |

| PROPERTY | APPLICANT | PROPOSAL BRIEF | TAXES & COSTS | PROJECT COSTS | RECOMMENDATION |
|--|---------------------------------|---|---------------|----------------|------------------|
| 8. Former 532 & 540 N. Skidmore #14680-1300 & 14680-1310 \$18,200 - Market Value 3325 S/F | NECDC | New Construction: SFR 3 bedroom home Sale/Home Ownership | \$5,209.35 | \$106,640.00 | Approve Transfer |
| 9. 1949 SE Division #46330-6450 \$93,600 - Market Value 9500 S/F | REACH | New Construction: 10-15 units Very low income rental ADS referred renters | \$7,210.76 | \$1,200,000.00 | Approve Transfer |
| 10. Former 3924 & 3930 NE Garfield # 01050-1280 & 01050-1290 \$43,000 – Market Value 5000 S/F | Portland Community Design | New Construction: 3 Units 3 Attached Houses Sale/Home Ownership | \$2,610.19 | \$355,000.00 | Approve Transfer |
| 11. 7522 North Omaha Street #33950-0050 \$84,500 – Market Value 5000 S/F | Peninsula CDC | New Construction: SFR 3 bedroom home Sale /Home Ownership | \$5,735.64 | \$112,210.00 | Approve Transfer |
| 12. Lot near 10125 N. Allegheny #05630-0830 \$25,000 – Market Value 4700 S/F | Peninsula CDC | New Construction: SFR 3 bedroom home Sale/Home Ownership | \$15,890.00 | \$111,390.00 | Approve Transfer |
| 13. 4025 NE 9 th Avenue #49730-3100 \$82,600 – Market Value 5000 S/F | Sabin CDC | Renovation: SFR 4 bedroom home Sale/Home Ownership/Land Trust | \$3,622.89 | \$98,930.00 | Approve Transfer |

| PROPERTY | APPLICANT | PROPOSAL BRIEF | TAXES & COSTS | PROJECT COSTS | RECOMMENDATION |
|---|--|---|---------------|--|--|
| 14. 1545 SE 89 th Avenue #79050-3580 \$126,500 - Market Value 5000 S/F | ROSE CDC PortlandHabitat/Mt. Hood Habitat NECDC | Renovation: SFR 3 bedroom-Childcare <u>Sale/Home Ownership</u> Renovation: SFR 3 bedroom <u>Sale/Home Ownership</u> Renovation: SFR 3 bedroom Sale/Home Ownership | \$33,762.60 | \$80,000.00 \$25,000.00 \$75,790.00 | Approve Transfer Deny Transfer Deny Transfer |
| 15. NE 47 th & Sumner #22710-0320 & 22710-0330 \$66,200 - Market Value 10,000 S/F | Portland Habitat Hacienda CDC Jubilee Communities | New Construction: 2 SFRs 2 - 3 or 4 bedroom homes <u>Sale/Home Ownership</u> New Construction: 2 SFRs 2 - 4 bedroom homes <u>Sale/Home Ownership</u> New Construction: 2 SFRs 2 - 4 bedroom homes Sale/Home Ownership | \$1,791.73 | \$106,000.00 \$246,500.00 \$265,200.00 | Approve Transfer Deny Transfer Deny Transfer |
| 16. 8716 N. Bayard Avenue #65521-3790 \$59,000 – Market Value 5000 S/F | NECDC Peninsula CDC | Renovation: SFR 2 – bedroom house <u>Sale/Home Ownership</u> Renovation: SFR 3 – bedroom home Sale/Home Ownership | \$8,881.52 | \$95,000.00 \$88,440.00 | Deny Transfer Approve Transfer |
| 17. Former 8010 SW 45 th Avenue #99120-1680 \$ 53,500 – Market Value 7075 S/F | HAP NECDC | New Construction: SFR 5 – bedroom, group home <u>V. L. income, special needs rental</u> New Construction: SFR 3 – bedroom home Sale/Home Ownership | \$6,954.47 | \$390,600.00 \$106,640.00 | Approve Transfer Deny Transfer |

| PROPERTY | APPLICANT | PROPOSAL BRIEF | TAXES & COSTS | PROJECT COSTS | RECOMMENDATION |
|--|----------------------------------|--|---------------|----------------------------------|---------------------------------------|
| 18. Former 923 NE Failing Street #61150-1390 \$12,700 - Market Value 2500 S/F | Jubilee Communities NECDC | New Construction: SFR 4 bedroom home <u>Sale/Home Ownership</u> New Construction: SFR 3 – bedroom home Sale/HomeOwnership | \$1,970.83 | \$123,100.00 \$106,640.00 | Approve Transfer Deny Transfer |
| 19. 5220 NE Ainsworth #45000-4960 \$74,400 - Market Value 7332 S/F | Sabin CDC Hacienda CDC | New Construction: SFR 4 bedroom home <u>Sale/Homeownership-land trust</u> New Construction: 2 SFRs Partition/2 4-bedroom homes Sale HomeOwnership | \$29,780.70 | \$145,150.00 \$247,000.00 | Approve Transfer Deny Transfer |

**MULTNOMAH COUNTY
AFFORDABLE HOUSING DEVELOPMENT PROGRAM
Technical Review Committee
Project Ranking Report**

Dated: September 1, 1999

Applicant: ROSE CDC Neighborhood: Woodstock
Property Location: 4734 SE 59th Avenue, Portland, OR
Legal Description: Tax Lot #55 in Section 18, Township 1 South, Range 2 East, City of
Portland
Tax Account Number: R-99218-0550

Description of Project and Proposed Use: Sponsor proposes to build a two-bedroom, fully accessible home for sale to persons with developmental disabilities. ROSE has entered into a partnership with Community Vision, a non-profit agency organized to increase opportunity for persons with developmental disabilities. Community Vision will select prospective very low-income disabled purchasers and coordinate financing. Buyers will benefit from a Fannie Mae mortgage product tailored towards persons with disabilities and assistance from the Oregon Home of Your Own program, which promotes housing choice for person with developmental disabilities statewide. ROSE will target buyers at 30-40% of the area median income. It is planned that a family member or other care-giver use the second bedroom in the house.

Assessed Value: \$78,500.00

Taxes & Costs: \$29,936.32

Committee Recommendation: The Committee recommends approval of this application as described.

Committee Comments: The Committee supports this strong application from ROSE providing home ownership opportunity for very low-income persons with disabilities. The ROSE proposal presents a compelling partnership with Community Vision, both agencies bringing expertise to the development and services plan. The site is very small street-side portion of a flag lot with a driveway easement to the south further reducing the frontage and increasing the difficulty of siting the building. ROSE will demolish the existing dilapidated house and bring a considerable private investment to a difficult site. The proposed development both exceeds the AHDP income and affordability term requirements and will be a considerable neighborhood improvement and community asset.

Program Criteria: The ROSE proposal met each of the threshold criteria of the Affordable Housing Development Program

Bonus Point Criteria: The proposal received bonus points for longer-term affordability and points for pledging to house very low income persons.

MULTNOMAH COUNTY
AFFORDABLE HOUSING DEVELOPMENT PROGRAM
Technical Review Committee
Project Ranking Report

Dated: September 1, 1999

Applicant: Franciscan Enterprise Neighborhood: Humboldt
Property Location: 838 North Alberta Street, Portland, OR
Legal Description: Tax Lot #15 in the West one-half of Block N, M PATTONS &
SUBDIVISION, City of Portland
Tax Account Number: R-52070-7150

Description of Project and Proposed Use: Sponsor proposes to renovate the existing, older house for use as rental dwelling for families earning 50% or less than the area median income. Franciscan estimates the redevelopment of the property will cost approximately \$82,000. The completed two-bedroom house will rent for \$456.00 monthly. Franciscan plans to finance the project with a conventional bank loan, volunteer labor and other grant funds. Franciscan has pledged to keep the house as affordable rental property for 60 years.

Property Value: \$63,000.00

Taxes & Costs: \$12,948.59

Committee Recommendation: The Committee recommends approval of this application as described.

Committee Comments: The Committee supports this strong application from Franciscan providing rental housing for very low-income families. The subject house is located immediately adjacent to the Neil Kelly Remodeling center on North Alberta Street. The vacant property has been a magnet for neighborhood problems, including illicit urban camping. The Franciscan proposal intends to use both the subsidy of the land and a strong component of volunteer labor to keep redevelopment costs low and pass the benefit on to low income families in the form of low rents. The Franciscan financial plan included unspecified grant funding in its sources statement. The Committee encourages Franciscan to identify the prospective grant funding sources in future applications.

Program Criteria: The Franciscan proposal met each of the threshold criteria of the Affordable Housing Development Program

Bonus Point Criteria: The proposal received bonus points for longer term affordability (60 years) and points for pledging to house very low income persons.

**MULTNOMAH COUNTY
AFFORDABLE HOUSING DEVELOPMENT PROGRAM
Technical Review Committee
Project Ranking Report**

Dated: September 1, 1999

Applicant: Franciscan Enterprise Neighborhood: Concordia

Property Location: 5111 NE 29th Avenue, Portland, OR

Legal Description: Lot 17, Block 15, INA PARK ADDITION, City of Portland

Tax Account Number: R-41390-6150

Description of Project and Proposed Use: Sponsor proposes to renovate the existing, older house for use as rental dwelling for families earning 50% or less than the area median income. Franciscan estimates the redevelopment of the property will cost approximately \$53,000.00. The completed two-bedroom house will rent for \$456.00 monthly. Franciscan plans to finance the project with a conventional bank loan, volunteer labor. Franciscan has pledged to keep the house as affordable rental property for 60 years.

Property Value: \$44,400.00

Taxes & Costs: \$4,706.02

Committee Recommendation: The Committee recommends approval of this application as described.

Committee Comments: The Committee supports this strong application from Franciscan providing rental housing for very low-income families. Franciscan has a waiting list with 10 families eligible to rent very low-income units. Franciscan posits very reasonable development costs due to the strong component of volunteer labor. This property is very near the Alberta Street Corridor, targeted for revitalization funding by the City of Portland. Franciscan has been integrally involved with neighborhood redevelopment by offering computer literacy, budgeting and lifeskills classes as well as organizing neighborhood watch and other activities. This property should be quickly completed and occupied.

Program Criteria: The Franciscan proposal met each of the threshold criteria of the Affordable Housing Development Program

Bonus Point Criteria: The proposal received bonus points for longer term affordability (60 years) and points for pledging to house very low income persons.

MULTNOMAH COUNTY
AFFORDABLE HOUSING DEVELOPMENT PROGRAM
Technical Review Committee
Project Ranking Report

Dated: September 1, 1999

Applicant: Housing Our Families Neighborhood: King
Property Location: 4525-4527 NE Grand Avenue, Portland, OR
Legal Description: Lot 9, Block 22, HIGHLAND ADDITION, City of Portland
Tax Account Number: R-38430-2570

Description of Project and Proposed Use: Sponsor proposes to renovate the existing, newer (1969) duplex for use as a rental dwelling for families earning 50% or less than the area median income. Each of the units has two bedrooms and will include washer/dryer hook-ups, outside storage, separate outdoor space and individual driveways. HOF will provide its own property management services for the project. Families renting the units will be able to access HOF's outreach program linking them to other tenants, staff, neighbors and services. The total proposed redevelopment cost for the project is \$72,000.00. Rents for each unit are proposed to be \$515, affordable to a very low-income family of three.

Property Value: \$113,300.00

Taxes & Costs: \$7,800.23

Committee Recommendation: The Committee recommends approval of this application as described.

Committee Comments: The Committee supports this strong application from HOF providing rental housing for very low-income families. This property has a checkered history as a pocket of uncompromising neighborhood blight. The property was previously awarded to Housing Our Families by the City of Portland under its receivership program, only to find that the County had already taken title through property tax foreclosure. The considerable investment in redevelopment, benefit to very low-income families and linkage to tenant services by Housing Our Families are very strong components of its application. The Committee was troubled by the administrative and personnel changes at HOF and didn't want to overburden the agency with more projects – HOF is the recipient of 1998 AHDP property on NE 10th Avenue proposing a six-unit development. The present project is straight forward and HOF convinced the Committee of its capacity to deliver a completed project.

Program Criteria: The Housing Our Families proposal met each of the threshold criteria of the Affordable Housing Development Program

Bonus Point Criteria: The proposal received bonus points for longer term affordability (60 years) and points for pledging to house very low income persons.

MULTNOMAH COUNTY
AFFORDABLE HOUSING DEVELOPMENT PROGRAM
Technical Review Committee
Project Ranking Report

Dated: September 1, 1999

Applicant: Portland Habitat for Humanity Neighborhood: Woodlawn
Property Location: Vacant lot near NE 13th & Highland Avenue, Portland, OR
Legal Description: Except that part in Street, Lot 8, Block 20, COLUMBIA HEIGHTS,
in the City of Portland
Tax Account Number: R-17310-3940

Description of Project and Proposed Use: Sponsor proposes to build a single family residence for sale to families earning between 35-60% of the area median income. Families must invest 400 hours of their own labor toward the construction of the house or on other Portland Habitat projects. The average sale price of completed Habitat homes is \$53,000.00. The houses are sold by means of a land sales contract at no-profit with a 0% interest mortgage to qualified buyers. Portland Habitat ensures that buyers mortgage repayments, taxes and insurance do not exceed 25% of the family's gross income. Portland Habitat keeps development costs low through donations, corporate sponsorship and volunteer labor.

Property Value: \$24,800.00

Taxes & Costs: \$1,000.00

Committee Recommendation: The Committee recommends approval of this application as described.

Committee Comments: The Committee supports this strong application from Portland Habitat providing home ownership opportunity for very low-income families. The Portland Habitat has been an effective and expeditious developer of County tax-foreclosed properties through the AHDP. Portland Habitat retains affordability in home ownership projects using a right of re-purchase for the first ten years after the initial sale - guaranteeing the Portland Habitat will reconvey the property to another low income family- and a declining second mortgage which annually forgives 5% of the second loan principal during the 10th through 20th year of occupancy. At the 20th year the buyer owns the home outright. The Committee noted the adjustment in qualified buyer income by Portland habitat contemplating purchasers at 60% of median income. The Committee did not award Portland Habitat the entire number of bonus points available in the very low income application category.

Program Criteria: The Portland Habitat proposal met each of the threshold criteria of the Affordable Housing Development Program

Bonus Point Criteria: The proposal received bonus points for longer term affordability and points for pledging to house very low income persons.

MULTNOMAH COUNTY
AFFORDABLE HOUSING DEVELOPMENT PROGRAM
Technical Review Committee
Project Ranking Report

Dated: September 1, 1999

Applicant: Portland Habitat for Humanity Neighborhood: King
Property Location: 1122 NE Beech Street, Portland, OR
Legal Description: The West 33 and 1/3 feet of the North 10 feet of Lot 15, Block 15,
LINCOLN PARK ADDITION, in the City of Portland
Tax Account Number: R-49710-2330

Description of Project and Proposed Use: Sponsor proposes to build a single family residence for sale to families earning between 35-60% of the area median income. Families must invest 400 hours of their own labor toward the construction of the house or on other Portland Habitat projects. The average sale price of completed Habitat homes is \$53,000.00. The houses are sold by means of a land sales contract at no-profit with a 0% interest mortgage to qualified buyers. Portland Habitat ensures that buyers mortgage repayments, taxes and insurance do not exceed 25% of the family's gross income. Portland Habitat keeps development costs low through donations, corporate sponsorship and volunteer labor.

Property Value: \$21,900.00

Taxes & Costs: \$2,432.51

Committee Recommendation: The Committee recommends approval of this application as described.

Committee Comments: The Committee supports this strong application from Portland Habitat providing home ownership opportunity for very low-income families. The Portland Habitat has been an effective and expeditious developer of County tax-foreclosed properties through the AHDP. Portland Habitat retains affordability in home ownership projects using a right of re-purchase for the first ten years after the initial sale - guaranteeing the Portland Habitat will reconvey the property to another low income family- and a declining second mortgage which annually forgives 5% of the second loan principal during the 10th through 25th year of occupancy. At the 25th year the buyer owns the home outright. The Committee noted the adjustment in qualified buyer income by Portland habitat contemplating purchasers at 60% of median income. The Committee did not award Portland Habitat the entire number of bonus points available in the very low income application category.

Program Criteria: The Portland Habitat proposal met each of the threshold criteria of the Affordable Housing Development Program

Bonus Point Criteria: The proposal received bonus points for longer term affordability and points for pledging to house very low income persons.

**MULTNOMAH COUNTY
AFFORDABLE HOUSING DEVELOPMENT PROGRAM
Technical Review Committee
Project Ranking Report**

Dated: September 1, 1999

Applicant: NECDC Neighborhood: Kenton
Property Location: 2645 North Willis Blvd., Portland, OR
Legal Description: Lots 47 & 48, Block 40, PENINSULAR ADDITION #3, in the City of Portland
Tax Account Number: R-65523-2550

Description of Project and Proposed Use: Sponsor proposes to renovate the existing 3 bedroom house for sale to families earning 80% or less than the area median income. Total development costs are projected to be \$95,000.00. NECDC has considerable experience with a variety of construction lenders. The financial plan to ensure affordability of NECDC housing products includes a below market interest rate first mortgage loan originated by conventional lending institutions and backed by the State of Oregon revenue Bond Program. A second mortgage, using a shared appreciation formula, reduces the monthly repayment amount required in return for a limited equity return on the appreciation in value of the property. An NECDC sponsored third mortgage is also sometimes applied. Buyers of NECDC properties also receive property tax abatements sponsored by the City of Portland for a period of ten years, expiring in 2010.

Property Value: \$133,100.00

Taxes & Costs: \$6,900.29

Committee Recommendation: The Committee recommends approval of this application as described.

Committee Comments: The Committee supports this application from NECDC providing homeownership opportunity for low-income families. This property will require a substantial investment from NECDC to make the property habitable and code acceptable. The Committee strongly recommends that NECDC keep the sales price of the house as close as possible to the actual development costs, including a reasonable developer's fee. It is not clear from the application what the actual sales price of the house will be. Should NECDC sell the house at its appraised value, the difference between the development cost and the appraised value is effectively capitalized by the County no cost transfer of the land. The Committee wishes to keep agency profit taking to a minimum and pass the subsidy of the donated land through to the buyers. The Committee urges any third mortgage instrument originated by NECDC to have as small a principal amount and low an interest rate as possible.

Program Criteria: The NECDC proposal met each of the threshold criteria of the Affordable Housing Development Program

Bonus Point Criteria: The proposal did not receive bonus points in either the very low income or longer-term affordability categories.

MULTNOMAH COUNTY
AFFORDABLE HOUSING DEVELOPMENT PROGRAM
Technical Review Committee
Project Ranking Report

Dated: September 1, 1999

Applicant: NECDC Neighborhood: Boise
Property Location: Formerly 532 & 540 North Skidmore, Portland, OR
Legal Description: The West 33 and 1/3 feet of the East 66 and 2/3 feet of Lot 16, and the West 33 and 1/3 feet of Lot 16, Block 20, CENTRAL ALBINA, in the City of Portland
Tax Account Numbers: R-14680-1300 & R-14680-1310

Description of Project and Proposed Use: Sponsor proposes to build a new three bedroom house for sale to families earning 80% or less than the area median income. Total development costs are projected to be \$106,640.00. NECDC has considerable experience with a variety of construction lenders. The financial plan to ensure affordability of NECDC housing products includes a below market interest rate first mortgage loan originated by conventional lending institutions and backed by the State of Oregon revenue Bond Program. A second mortgage, using a shared appreciation formula, reduces the monthly repayment amount required in return for a limited equity return on the appreciation in value of the property. An NECDC sponsored third mortgage is also sometimes applied. Buyers of NECDC properties also receive property tax abatements sponsored by the City of Portland for a period of ten years, expiring in 2010.

Property Value: \$18,200.00

Taxes & Costs: \$5,209.35

Committee Recommendation: The Committee recommends approval of this application as described.

Committee Comments: The Committee supports this application from NECDC providing homeownership opportunity for low-income families. The Committee strongly recommends that NECDC keep the sales price of the house as close as possible to the actual development costs, including a reasonable developer's fee. It is not clear from the application what the actual sales price of the house will be. Should NECDC sell the house at its appraised value, the difference between the development cost and the appraised value is effectively capitalized by the County no cost transfer of the land. The Committee wishes to keep agency profit taking to a minimum and pass the subsidy of the donated land through to the buyers. The Committee urges any third mortgage instrument originated by NECDC to have as small a principal amount and low an interest rate as possible.

Program Criteria: The NECDC proposal met each of the threshold criteria of the Affordable Housing Development Program

Bonus Point Criteria: The proposal did not receive bonus points in either the very low income or longer affordability categories.

**MULTNOMAH COUNTY
AFFORDABLE HOUSING DEVELOPMENT PROGRAM
Technical Review Committee
Project Ranking Report**

Dated: September 1, 1999

Applicant REACH CD Inc. Neighborhood: HAND
Property Location: 1949 SE Division Street, Portland, OR
Legal Description: Lot 1, Block 29, LADDS ADDITION, in the City of Portland
Tax Account Number: R-46330-6450

Description of Project and Proposed Use: Sponsor proposes to build a 10-15 unit rental dwelling for physically disabled persons earning 50% or less than the area median income. Residents will be referred and services provided by Multnomah County Adult and Disability Services. The Multnomah County ADS office is directly across the street from the site. The apartments will be a mixture of one bedroom and studio units. All will be fully accessible and a building elevator will be provided. REACH intends to seek HUD Section 811 funding for the project which provides project based tenant assistance payments which assure that the very low, fixed income tenants will pay no more than 30% of their incomes for rent. Other funding for the development is projected to come from the State of Oregon Housing Trust fund, the Federal Home Loan Bank and PDC.

Property Value: \$93,600.00

Taxes & Costs: \$7,210.76

Committee Recommendation: The Committee recommends approval of this application as described.

Committee Comments: The Committee supports this strong application from REACH providing rental housing for very low-income disabled persons. REACH has recently completed a similarly funded project housing tenants with medical and emotional disabilities using AHDP transferred property at SE 21st and Powell. The Division Street site is contaminated and testing will be required. It is likely that some shared liability between the County and REACH for the clean-up will be explored prior to transfer of title. The Project has received the unequivocal support of the HAND neighborhood. It would be a great community asset to develop this site for the physically handicapped.

Program Criteria: The REACH proposal met each of the threshold criteria of the Affordable Housing Development Program

Bonus Point Criteria: The proposal received bonus points for longer term affordability (40 years) and points for pledging to house very low income persons.

MULTNOMAH COUNTY
AFFORDABLE HOUSING DEVELOPMENT PROGRAM
Technical Review Committee
Project Ranking Report

Dated: September 1, 1999

Applicant: Portland Community Design

Neighborhood: King

Property Location: Former 3924 & 3930 NE Garfield Ave., Portland, OR

Legal Description: Lot 11, Block 3, ALBINA HOMESTEAD, in the City of Portland

Tax Account Numbers: R-01050-1280 & R-01050-1290

Description of Project and Proposed Use: Sponsor proposes to build a three dwelling units for sale to families earning 80% or less than the area median income. Two of the houses will be attached and one free-standing. Total development costs are projected to be \$355,000.00 The sale prices of the houses are estimated to be \$122,900 and two houses at \$112,900.00. The project is relying heavily upon the speculative sale of the properties to finance the project. PCD has had considerable success in the past using subsidies available for rental housing and homeownership projects.

Property Value: \$43,000.00

Taxes & Costs: \$2,610.19

Committee Recommendation: The Committee recommends approval of this application as described.

Committee Comments: The Committee supports this application from Portland Community Design providing home ownership opportunity for low-income families. The financial plan of the project is sketchy, both in terms of funding sources and permanent financing for the eventual owners of the houses. The Committee strongly desires that the land subsidy is passed on to the buyers and is not lost to holding costs while the development plan crystallizes. The Committee would strongly recommend that the land trust ownership model be vigorously pursued by PCD. The tree-saving plan and design sensitivity to the adjacent neighborhood garden was lauded by the Committee. The Committee also wished to encourage PCD to work with the Portland Housing Center to both market the project and develop a qualified buyer-applicant pool.

Program Criteria: The PCD proposal met each of the threshold criteria of the Affordable Housing Development Program

Bonus Point Criteria: The proposal received no bonus points for longer term affordability or for pledging to house very low income persons.

MULTNOMAH COUNTY
AFFORDABLE HOUSING DEVELOPMENT PROGRAM
Technical Review Committee
Project Ranking Report

Dated: September 1, 1999

Applicant: Peninsula CDC

Neighborhood: Kenton

Property Location: 7522 North Omaha Street, Portland, OR

Legal Description: Lots 5 & 6, Block 1, GRAYBROOK ADDITION, in the City of Portland

Tax Account Number: R-33950-0050

Description of Project and Proposed Use: Sponsor proposes demolish the existing house and build a new three bedroom house for sale to families earning 80% or less than the area median income. Total development costs are projected to be \$112,000.00. Peninsula CDC works with the Portland housing Center and the Housing Authority of Portland to market the properties and develop a pool of prospective buyers from North Portland. Peninsula CDC also expects to keep development costs low by working with youth development agencies, such as Youthbuild and Roosevelt High School's Construction Program to defray building costs. Peninsula CDC tries to assist potential buyers to secure down payment assistance and below market interest rates for first mortgages.

Property Value: \$84,500.00

Taxes & Costs: \$5,735.64

Committee Recommendation: The Committee recommends approval of this application as described.

Committee Comments: The Committee supports this application from Peninsula CDC providing home ownership opportunity for low-income families. The Committee applauded the retention of the County land donation subsidy and affordability represented by the Peninsula resale restrictions and equity sharing agreement. Does this restriction run with the land? Is it recorded as a covenant and restriction against the deed or as part of a second mortgage? The Committee felt that the sources of financing description for the project was vague. Future applications could benefit from a more formal sources and uses statement. The application strongly described the community connection and involvement of Peninsula CDC.

Program Criteria: The Peninsula CDC proposal met each of the threshold criteria of the Affordable Housing Development Program

Bonus Point Criteria: The proposal received bonus points for longer term affordability and no points for pledging to house very low income persons.

**MULTNOMAH COUNTY
AFFORDABLE HOUSING DEVELOPMENT PROGRAM
Technical Review Committee
Project Ranking Report**

Dated: September 1, 1999

Applicant: Peninsula CDC Neighborhood: St. Johns
Property Location: Vacant lot south of 10125 North Allegheny, Portland, OR
Legal Description: Lot 16, Block 4, BARTONS ADDITION, in the City of Portland
Tax Account Number: R-05630-0830

Description of Project and Proposed Use: Sponsor proposes build a new three bedroom house for sale to families earning 80% or less than the area median income. Total development costs are projected to be \$111,000.00. Peninsula CDC works with the Portland housing Center and the Housing Authority of Portland to market the properties and develop a pool of prospective buyers from North Portland. Peninsula CDC also expects to keep development costs low by working with youth development agencies, such as Youthbuild and Roosevelt High School's Construction Program to defray building costs. Peninsula CDC tries to assist potential buyers to secure down payment assistance and below market interest rates for first mortgages.

Property Value: \$25,000.00

Taxes & Costs: \$15,890.00

Committee Recommendation: The Committee recommends approval of this application as described.

Committee Comments: The Committee supports this application from Peninsula CDC providing home ownership opportunity for low-income families. The Committee applauded the retention of the County land donation subsidy and affordability represented by the Peninsula resale restrictions and equity sharing agreement. Does this restriction run with the land? Is it recorded as a covenant and restriction against the deed or as part of a second mortgage? The Committee felt that the sources of financing description for the project was vague. Future applications could benefit from a more formal sources and uses statement. Unless there is an unexpressed difference in the design and costs of the Allegheny house as opposed to the Omaha Street house, the \$10,000 savings in demolition costs is not expressed in the lower sales price to potential buyers. The application strongly described the community connection and involvement of Peninsula CDC.

Program Criteria: The Peninsula CDC proposal met each of the threshold criteria of the Affordable Housing Development Program

Bonus Point Criteria: The proposal received bonus points for longer term affordability and no points for pledging to house very low income persons.

MULTNOMAH COUNTY
AFFORDABLE HOUSING DEVELOPMENT PROGRAM
Technical Review Committee
Project Ranking Report

Dated: September 1, 1999

Applicant: Sabin CDC Neighborhood: King
Property Location: 4025 NE 9th Avenue, Portland, OR
Legal Description: Lot 11, Block 19, LINCOLN PARK ANNEX, in the City of Portland
Tax Account Number: R-49730-3100

Description of Project and Proposed Use: Sponsor proposes to renovate the existing four bedroom house available for sale to families at 50-70% of the area median income through the agency Land Trust Homeownership Program. The Sabin CDC land trust formula includes a 99-year ground lease with restricted resale provisions and limited equity return on the appreciation of the structure for the purchasers. The entire development cost of the project is slated to be \$99,000. The initial buyer will purchase the structure for \$72,000.00 due to subsidy in the of the PDC equity gap funding. The first mortgage will be originated by a private lender. Sabin CDC requires a 3% down payment and assurances that the purchaser will pay no more than 35% of their household income for housing costs.

Property Value: \$82,600.00

Taxes & Costs: \$3,622.89

Committee Recommendation: The Committee recommends approval of this application as described.

Committee Comments: The Committee supports this strong application from Sabin providing land trust homeownership opportunity for low-income families. The Sabin proposal presents a compelling argument for retention of public subsidy, as in the County donated property, in the land trust model of development. There is considerable interest in the program both from potential buyers and other government funders. It appears that the Sabin development cost estimates are higher than other renovation applications received. The Committee wishes to encourage both hard and soft costs kept as low as possible, so that ultimately the subsidy of the County donated land benefits families at lowest possible incomes.

Program Criteria: The Sabin proposal met each of the threshold criteria of the Affordable Housing Development Program

Bonus Point Criteria: The proposal received bonus points for longer term affordability (99 year ground lease) and points for pledging to house very low income persons.

MULTNOMAH COUNTY
AFFORDABLE HOUSING DEVELOPMENT PROGRAM
Technical Review Committee
Project Ranking Report

Dated: September 1, 1999

Applicant: ROSE CDC Neighborhood: Montavilla
Property Location: 1545 SE 89th Avenue, Portland, OR
Legal Description: Lots 9 & 10, Block 9, STANLEY & PLAT #2, in the City of Portland
Tax Account Number: R-79050-3580

Description of Project and Proposed Use: Sponsor proposes to renovate the existing three bedroom house for sale to a family at less than 50% of the area median income. The prospective buyers will also be afforded the opportunity to develop a childcare business in the house supported by ROSE's Child Care Neighbor Network. The house will be remodeled with the requirements of the childcare home business in mind. Sale price of the home is projected at \$80,000.00. As ROSE currently has a well capitalized revolving loan fund to defray construction and development costs, this project could be quickly developed and occupied.

Property Value: \$126,500.00

Taxes & Costs: \$33,762.60

Committee Recommendation: The Committee recommends approval of this application as described.

Committee Comments: The Committee supports this strong application from ROSE providing home ownership and home business opportunity for very low-income families. Two other applications were received for this site. The ability of ROSE to reach very low income families with home ownership opportunity coupled with the home childcare business start-up and support were crucial elements in the Committee's decision to award this property to ROSE. The Committee strongly recommends that ROSE explore including this house in the emerging city sponsored land trust. Retaining the subsidy of the donated land in affordability for low income families is a critical goal of the AHDP.

Program Criteria: The ROSE proposal met each of the threshold criteria of the Affordable Housing Development Program

Bonus Point Criteria: The proposal received bonus points for longer term affordability and points for pledging to house very low income persons.

MULTNOMAH COUNTY
AFFORDABLE HOUSING DEVELOPMENT PROGRAM
Technical Review Committee
Project Ranking Report

Dated: September 1, 1999

Applicant: Mt. Hood/Portland Habitat for Humanity Neighborhood: Montavilla
Property Location: 1545 SE 89th Avenue, Portland, OR
Legal Description: Lots 9 & 10, Block 9, STANLEY & PLAT #2, in the City of Portland
Tax Account Number: R-79050-3580

Description of Project and Proposed Use: Sponsor proposes to renovate the existing three bedroom house for sale to very low income families earning 25-50% of the area median income. The renovation costs are projected to be \$25,000.00. Mt. Hood Habitat proposes to sell the house for approximately \$54,000.00. Costs of renovation will be kept low by use of volunteer labor. Mt. Hood habitat requires 500 hours of sweat equity labor to be invested by the prospective buyer toward the construction of this home or other Habitat homes. The prospective buyers must be able to pay a 1% down payment to qualify as a purchaser. The Mt. Hood Habitat offers a no interest, 30-year mortgage to prospective buyers. Affordability is retained through a no resale agreement and a declining second mortgage, with the house owned out right by the buyer after 30 years.

Property Value: \$126,500.00

Taxes & Costs: \$33,762.60

Committee Recommendation: The Committee recommends denial of this application as described.

Committee Comments: The Committee felt the Mt. Hood Habitat proposal was very strong and met the AHDP objectives of benefiting very low income families over the long term. Two other proposals were received for this property. The Committee recommends transfer of the project to an agency proposing very low income homeownership coupled with an innovative home business component with on-going agency support. The Committee hopes that Mt. Hood Habitat will apply to future rounds of the AHDP.

Program Criteria: The Mt. Hood Habitat proposal met each of the threshold criteria of the Affordable Housing Development Program

Bonus Point Criteria: The proposal received bonus points for longer term affordability and points for pledging to house very low income persons.

MULTNOMAH COUNTY
AFFORDABLE HOUSING DEVELOPMENT PROGRAM
Technical Review Committee
Project Ranking Report

Dated: September 1, 1999

Applicant: NECDC

Neighborhood: Montavilla

Property Location: 1545 SE 89th Avenue, Portland, OR

Legal Description: Lots 9 & 10, Block 9, STANLEY & PLAT #2, in the City of Portland

Tax Account Number: R-79050-3580

Description of Project and Proposed Use: Sponsor proposes to renovate the existing 3 bedroom house for sale to families earning 80% or less than the area median income. Total development costs are projected to be \$76,000.00. NECDC has considerable experience with a variety of construction lenders. The financial plan to ensure affordability of NECDC housing products includes a below market interest rate first mortgage loan originated by conventional lending institutions and backed by the State of Oregon revenue Bond Program. A second mortgage, using a shared appreciation formula, reduces the monthly repayment amount required in return for a limited equity return on the appreciation in value of the property. An NECDC sponsored third mortgage is also sometimes applied. Buyers of NECDC properties also receive property tax abatements sponsored by the City of Portland for a period of ten years, expiring in 2010.

Property Value: \$126,500.00

Taxes & Costs: \$33,762.60

Committee Recommendation: The Committee recommends denial of this application as described.

Committee Comments: Two other strong applications were received for this site. The Committee recommends transfer to an agency proposing to renovate the property for sale to a family at 50% or less than the area median income. The recommended project also has a home childcare business component with ongoing support provided by the agency. The recommended project showed specific community involvement and support.

Program Criteria: The NECDC proposal met each of the threshold criteria of the Affordable Housing Development Program

Bonus Point Criteria: The proposal did not receive bonus points for longer term affordability or points for pledging to house very low income persons.

MULTNOMAH COUNTY
AFFORDABLE HOUSING DEVELOPMENT PROGRAM
Technical Review Committee
Project Ranking Report

Dated: September 1, 1999

Applicant: Portland Habitat for Humanity

Neighborhood: Cully

Property Location: Near the intersection of NE 47th & Sumner, Portland, OR

Legal Description: Except the East 5 feet, Lots 7 & 8, Block 4, EAST PORTLAND PARK, in the City of Portland

Tax Account Numbers: R-22710-0320 & R-22710-0330

Description of Project and Proposed Use: Sponsor proposes to build a 2 new three or four bedroom homes for sale to families earning between 35-60% of the area median income. Families must invest 400 hours of their own labor toward the construction of the house or on other Portland Habitat projects. The average sale price of completed Habitat homes is \$53,000.00. The houses are sold by means of a land sales contract at no-profit with a 0% interest mortgage to qualified buyers. Portland Habitat ensures that buyers mortgage repayments, taxes and insurance do not exceed 25% of the family's gross income. Monthly PITI payments are estimated to be \$350.00. Portland Habitat keeps development costs low through donations, corporate sponsorship and volunteer labor.

Property Value: \$66,200.00

Taxes & Costs: \$1,791.73

Committee Recommendation: The Committee recommends approval of this application as described.

Committee Comments: The Committee supports this strong application from Portland Habitat providing home ownership opportunity for very low-income families. The Portland Habitat has been an effective and expeditious developer of County tax-foreclosed properties through the AHDP. Portland Habitat retains affordability in home ownership projects using a right of re-purchase for the first ten years after the initial sale - guaranteeing the Portland Habitat will reconvey the property to another low income family- and a declining second mortgage which annually forgives 5% of the second loan principal during the 10th through 25th year of occupancy. At the 25th year the buyer owns the home outright. The Committee noted the adjustment in qualified buyer income by Portland habitat contemplating purchasers at 60% of median income. The Committee did not award Portland Habitat the entire number of bonus points available in the very low income application category.

Program Criteria: The Portland Habitat proposal met each of the threshold criteria of the Affordable Housing Development Program

Bonus Point Criteria: The proposal received bonus points for longer term affordability (60 years) and points for pledging to house very low income persons.

MULTNOMAH COUNTY
AFFORDABLE HOUSING DEVELOPMENT PROGRAM
Technical Review Committee
Project Ranking Report

Dated: September 1, 1999

Applicant: Hacienda CDC Neighborhood: Cully
Property Location: Lot near the intersection of NE 47th & Sumner, Portland, OR
Legal Description: Except the East 5 feet, Lots 7 & 8, Block 4, EAST PORTLAND
PARK, in the City of Portland
Tax Account Numbers: R-22710-0320 & R-22710-0330

Description of Project and Proposed Use: Sponsor proposes to build two four-bedroom two bath homes available for sale to families at 80% or less than the area median income. Total development costs are estimated to be approximately \$115,000.00. Hacienda proposes to get construction loans from the Enterprise Foundation and PDC. Discussions have been held with conventional lenders to provide permanent, take-out financing for the purchasers of the property. Hacienda presents a strong marketing plan including homeownership outreach to under represented Hispanic families.

Property Value: \$66,200.00

Taxes & Costs: \$1,791.73

Committee Recommendation: The Committee recommends denial of this application as described.

Committee Comments: The Committee felt the Hacienda CDC proposal was well supported and had a thoughtful marketing plan. Two other proposals were received for this property. The Committee recommends transfer of the project to an agency proposing very low income homeownership, very low development costs and retention of affordability through resale restrictions and other mechanisms. The Committee hopes that Hacienda CDC will apply to future rounds of the AHDP.

Program Criteria: The Hacienda CDC proposal met each of the threshold criteria of the Affordable Housing Development Program

Bonus Point Criteria: The proposal received no bonus points for longer term or points for pledging to house very low income persons.

MULTNOMAH COUNTY
AFFORDABLE HOUSING DEVELOPMENT PROGRAM
Technical Review Committee
Project Ranking Report

Dated: September 1, 1999

Applicant: Jubilee Communities Neighborhood: Cully
Property Location: Lot near the intersection of NE 47th & Sumner, Portland, OR
Legal Description: Except the East 5 feet, Lots 7 & 8, Block 4, EAST PORTLAND
PARK, in the City of Portland
Tax Account Numbers: R-22710-0320 & R-22710-0330

Description of Project and Proposed Use: Sponsor proposes to build two - four bedroom two bathroom homes for first time homebuyers earning 80% or less than the area median income at this site. Jubilee has secured a construction loan which will convert to a permanent loan upon construction completion of the house. This loan may be assumed by the initial buyer. Jubilee will use a PDC shared appreciation mortgage or an agency self-financed second mortgage to reduce the monthly payments of the buyer. Jubilee will access down payment assistance through the Portland Housing Center. Jubilee has a 10 year resale restriction and equity recapture mechanisms as part of its second mortgage.

Property Value: \$66,200.00

Taxes & Costs: \$1,791.73

Committee Recommendation: The Committee recommends denial of this application as described.

Committee Comments: Should Jubilee sell the house at its appraised value, the difference between the development cost and the appraised value is effectively capitalized by the County no cost transfer of the land. The Committee wishes to keep agency profit taking to a minimum and pass the subsidy of the donated land through to the buyers. Keeping the sales price of the house low and the principal amounts of any second mortgages as low as possible is critical. The Committee felt the Jubilee proposal was well supported. Two other proposals were received for this property. The Committee recommends transfer of the project to an agency proposing very low income homeownership, very low development costs and retention of affordability through resale restrictions and other mechanisms.

Program Criteria: The Jubilee proposal met each of the threshold criteria of the Affordable Housing Development Program

Bonus Point Criteria: The proposal received bonus points for longer term affordability no points for pledging to house very low income persons.

**MULTNOMAH COUNTY
AFFORDABLE HOUSING DEVELOPMENT PROGRAM
Technical Review Committee
Project Ranking Report**

Dated: September 1, 1999

Applicant: Peninsula CDC

Neighborhood: Kenton

Property Location: 8716 North Bayard Avenue, Portland, OR

Legal Description: Lots 3 & 4, Block 11, PENINSULAR ADDITION #2, in the City of
Portland

Tax Account Number: R-65521-3790

Description of Project and Proposed Use: Sponsor proposes renovate the existing house and add a third bedroom then market and sell it to families earning 80% or less than the area median income. Total development costs are projected to be \$88,400.00. Peninsula CDC works with the Portland housing Center and the Housing Authority of Portland to market the properties and develop a pool of prospective buyers from North Portland. Peninsula CDC also expects to keep development costs low by working with youth development agencies, such as Youthbuild and the Camp Fire Boys and Girls Youth Volunteer Corps to defray building costs. Peninsula CDC tries to assist potential buyers to secure down payment assistance and below market interest rates for first mortgages.

Property Value: \$59,000.00

Taxes & Costs: \$8,881.52

Committee Recommendation: The Committee recommends approval of this application as described.

Committee Comments: The Committee supports this application from Peninsula CDC providing home ownership opportunity for low-income families. The Committee applauded the retention of the County land donation subsidy and affordability represented by the Peninsula resale restrictions and equity sharing agreement. The application strongly described the community connection and involvement of Peninsula CDC. Another application was received for this site. The retention and recapture provisions of the agency as well as the addition of a third bedroom to the project plan were critical factors in the recommendation decision. Also important in the decision was the lower development costs and community support of the proposal.

Program Criteria: The Peninsula CDC proposal met each of the threshold criteria of the Affordable Housing Development Program

Bonus Point Criteria: The proposal received bonus points for longer term affordability no points for pledging to house very low income persons.

MULTNOMAH COUNTY
AFFORDABLE HOUSING DEVELOPMENT PROGRAM
Technical Review Committee
Project Ranking Report

Dated: September 1, 1999

Applicant: NECDC Neighborhood: Kenton
Property Location: 8716 North Bayard Avenue, Portland, OR
Legal Description: Lots 3 & 4, Block 11, PENINSULAR ADDITION #2, in the City of Portland
Tax Account Number: R-65521-3790

Description of Project and Proposed Use: Sponsor proposes to renovate the existing 2 bedroom house for sale to families earning 80% or less than the area median income. Total development costs are projected to be \$95,000.00. NECDC has considerable experience with a variety of construction lenders. The financial plan to ensure affordability of NECDC housing products includes a below market interest rate first mortgage loan originated by conventional lending institutions and backed by the State of Oregon revenue Bond Program. A second mortgage, using a shared appreciation formula, reduces the monthly repayment amount required in return for a limited equity return on the appreciation in value of the property. An NECDC sponsored third mortgage is also sometimes applied. Buyers of NECDC properties also receive property tax abatements sponsored by the City of Portland for a period of ten years, expiring in 2010.

Property Value: \$59,000.00

Taxes & Costs: \$8,881.52

Committee Recommendation: The Committee recommends denial of this application as described.

Committee Comments: Another strong proposal was received for this site. The Committee recommends transfer to the competing agency offering homeownership on this property. The recommended project specified adding another bedroom to the existing house and had lower development costs. The recommended project had 15-year resale and recapture provisions in its equity sharing agreement, meeting the longer term affordability goals of the AHDP. The recommended agency demonstrated strong neighborhood support and involvement in the proposal.

Program Criteria: The NECDC proposal met each of the threshold criteria of the Affordable Housing Development Program

Bonus Point Criteria: The proposal did not receive bonus points for longer term affordability or points for pledging to house very low income persons.

**MULTNOMAH COUNTY
AFFORDABLE HOUSING DEVELOPMENT PROGRAM
Technical Review Committee
Project Ranking Report**

Dated: September 1, 1999

Applicant: NECDC Neighborhood: Multnomah
Property Location: Former 8010 SW 45th Avenue, Portland, OR
Legal Description: Tax Lot #168 in Section 12, Township 1 North, Range 1 West
Tax Account Number: R-99120-1680

Description of Project and Proposed Use: Sponsor proposes to build a new three bedroom house for sale to families earning 80% or less than the area median income. Total development costs are projected to be \$106,640.00. NECDC has considerable experience with a variety of construction lenders. The financial plan to ensure affordability of NECDC housing products includes a below market interest rate first mortgage loan originated by conventional lending institutions and backed by the State of Oregon revenue Bond Program. A second mortgage, using a shared appreciation formula, reduces the monthly repayment amount required in return for a limited equity return on the appreciation in value of the property. An NECDC sponsored third mortgage is also sometimes applied. Buyers of NECDC properties also receive property tax abatements sponsored by the City of Portland for a period of ten years, expiring in 2010.

Property Value: \$59,000.00

Taxes & Costs: \$6,954.47

Committee Recommendation: The Committee recommends denial of this application as described.

Committee Comments: Another strong proposal was received for this site. The Committee recommends transfer to the competing agency proposal which offers rental housing to very low income individuals with special needs. The recommended proposal ensures the affordability of the five bedroom house for 60 years. The Committee found the need for special needs housing, permanent affordability for very low income people compelling reasons to support the competing proposal.

Program Criteria: The NECDC proposal met each of the threshold criteria of the Affordable Housing Development Program

Bonus Point Criteria: The proposal did not receive bonus points for longer term affordability or points for pledging to house very low income persons.

MULTNOMAH COUNTY
AFFORDABLE HOUSING DEVELOPMENT PROGRAM
Technical Review Committee
Project Ranking Report

Dated: September 1, 1999

Applicant: Jubilee Communities Neighborhood: King
Property Location: 923 NE Failing Street, Portland, OR
Legal Description: The West 50 feet of Lot 9, Block 6, NORTH IRVINGTON
ADDITION, in the City of Portland
Tax Account Number: R-61150-1390

Description of Project and Proposed Use: Sponsor proposes to build a four bedroom two bathroom homes for first time homebuyers earning 80% or less than the area median income at this site. Jubilee has secured a construction loan which will convert to a permanent loan upon construction completion of the house. Total development costs including developer's fee are estimated to be approximately \$123,000.00. This loan may be assumed by the initial buyer. Jubilee will use a PDC shared appreciation mortgage or an agency self-financed second mortgage to reduce the monthly payments of the buyer. Jubilee will access down payment assistance through the Portland Housing Center. Jubilee has a 10 year resale restriction and equity recapture mechanisms as part of its second mortgage.

Property Value: \$12,700.00

Taxes & Costs: \$1,970.83

Committee Recommendation: The Committee recommends approval of this application as described.

Committee Comments: The Committee supports this application from Jubilee providing homeownership opportunity for low-income families. Should Jubilee sell the house at its appraised value, the difference between the development cost and the appraised value is effectively capitalized by the County no cost transfer of the land. The Committee wishes to keep agency profit taking to a minimum and pass the subsidy of the donated land through to the buyers. Keeping the sales price of the house low and the principal amounts of any second mortgages as low as possible is critical. The Committee felt the Jubilee proposal was well supported. The Committee asks that Jubilee submit a statement that clearly states that there is no religious proselytizing or religious teaching required of buyers as part of homeowner qualification or consideration.

Program Criteria: The Jubilee proposal met each of the threshold criteria of the Affordable Housing Development Program

Bonus Point Criteria: The proposal received bonus points for longer term affordability and no points for pledging to house very low income persons.

**MULTNOMAH COUNTY
AFFORDABLE HOUSING DEVELOPMENT PROGRAM
Technical Review Committee
Project Ranking Report**

Dated: September 1, 1999

Applicant: NECDC Neighborhood: King
Property Location: Former 923 NE Failing Street, Portland, OR
Legal Description: West 50 feet of Lot 9, Block 6, NORTH IRVINGTON ADDITION, in
the City of Portland
Tax Account Number: R-61150-1390

Description of Project and Proposed Use: Sponsor proposes to build a new three bedroom house for sale to families earning 80% or less than the area median income. Total development costs are projected to be \$106,640.00. NECDC has considerable experience with a variety of construction lenders. The financial plan to ensure affordability of NECDC housing products includes a below market interest rate first mortgage loan originated by conventional lending institutions and backed by the State of Oregon revenue Bond Program. A second mortgage, using a shared appreciation formula, reduces the monthly repayment amount required in return for a limited equity return on the appreciation in value of the property. An NECDC sponsored third mortgage is also sometimes applied. Buyers of NECDC properties also receive property tax abatements sponsored by the City of Portland for a period of ten years, expiring in 2010.

Property Value: \$12,700.00

Taxes & Costs: \$1,970.83

Committee Recommendation: The Committee recommends denial of this application as described.

Committee Comments: Another strong proposal was received for this site. The Committee recommends transfer to the competing agency offering homeownership on this property. The recommended project specified a four bedroom house with a small footprint for this 2500 square foot site. The recommended project has resale and recapture provisions in its equity sharing agreement, meeting the longer term affordability goals of the AHDP.

Program Criteria: The NECDC proposal met each of the threshold criteria of the Affordable Housing Development Program

Bonus Point Criteria: The proposal received no bonus points for longer term affordability and no points for pledging to house very low income persons.

**MULTNOMAH COUNTY
AFFORDABLE HOUSING DEVELOPMENT PROGRAM
Technical Review Committee
Project Ranking Report**

Dated: September 1, 1999

Applicant: Sabin CDC Neighborhood: Cully
Property Location: 5220 NE Ainsworth Street, Portland, OR
Legal Description: Except the South 70 feet thereof, the East one-half of Lot 1, Block 13,
KILLINGSWORTH GARDENS, in the City of Portland
Tax Account Number: R-45000-4960

Description of Project and Proposed Use: Sponsor proposes to build a new four bedroom house available for sale to families at 50-70% of the area median income through the agency Land Trust Homeownership Program. The Sabin CDC land trust formula includes a 99-year ground lease with restricted resale provisions and limited equity return on the appreciation of the structure for the purchasers. The entire development cost of the project is slated to be \$145,000. The initial buyer will purchase the structure for \$86,580.00 due to subsidy in the of the PDC equity gap funding and monies form the Portland Housing Center. The first mortgage will be originated by a private lender. Sabin CDC requires a 3% down payment and assurances that the purchaser will pay no more than 35% of their household income for housing costs.

Property Value: \$74,400.00

Taxes & Costs: \$29,780.70

Committee Recommendation: The Committee recommends approval of this application as described.

Committee Comments: The Committee supports this strong application from Sabin providing land trust homeownership opportunity for low-income families. The Sabin proposal presents a compelling argument for retention of public subsidy, as in the County donated property, in the land trust model of development. There is considerable interest in the program both from potential buyers and other government funders. It appears that the Sabin development cost estimates are higher than other applications received. The Committee wishes to encourage both hard and soft costs kept as low as possible, so that ultimately the subsidy of the County donated land benefits families at lowest possible incomes.

Program Criteria: The Sabin proposal met each of the threshold criteria of the Affordable Housing Development Program

Bonus Point Criteria: The proposal received bonus points for longer term affordability (99 year ground lease) and points for pledging to house very low income persons.

**MULTNOMAH COUNTY
AFFORDABLE HOUSING DEVELOPMENT PROGRAM
Technical Review Committee
Project Ranking Report**

Dated: September 1, 1999

Applicant: Hacienda CDC Neighborhood: Cully
Property Location: 5220 NE Ainsworth Street, Portland, OR
Legal Description: Except the South 70 feet thereof, the East one-half of Lot 1, Block 13,
KILLINGSWORTH GARDENS, in the City of Portland
Tax Account Number: R-45000-4960

Description of Project and Proposed Use: Sponsor proposes to build a four-bedroom two bath house available for sale to families at 80% or less than the area median income. Total development costs are estimated to be approximately \$119,000.00. The anticipated minimum sale price of the house is 123,500. Hacienda proposes to get construction loans from the Enterprise Foundation and PDC. Discussions have been held with conventional lenders to provide permanent, take-out financing for the purchasers of the property. Hacienda presents a strong marketing plan including homeownership outreach to under represented hispanic families.

Property Value: \$74,400.00

Taxes & Costs: \$29,780.70

Committee Recommendation: The Committee recommends denial of this application as described.

Committee Comments: The Committee felt the Hacienda CDC proposal was well supported and had a thoughtful marketing plan. Another strong proposal was received for this property. The Committee recommends transfer of the project to the competing agency proposing a land trust homeownership model. The 99 year ground lease retains the public subsidy of the donated land in permanent affordability, a signal goal of the AHDP. The competing application was also able to reach lower income families with the financial structure of its proposal. The Hacienda intention to develop two houses on the site was somewhat vague, with the zoning issues and site design community concerns not fully discussed. The costs and time required for partition was not reflected in the pro forma or project time table. The Committee hopes that Hacienda CDC will apply to future rounds of the AHDP.

Program Criteria: The Hacienda proposal met each of the threshold criteria of the Affordable Housing Development Program

Bonus Point Criteria: The proposal did not receive bonus points for longer term affordability or points for pledging to house very low income persons.

SHACKELFORD Donna B

From: National Low Income Housing Coalition [memo@nlihc.org]
Sent: Friday, September 24, 1999 4:23 PM
To: Memo to Members
Subject: Memo to Members 9/24/99

Memo to Members
Volume 4, Issue 38
National Low Income Housing Coalition
September 24, 1999

In this issue: point of view; capitol hill (HUD bill passes Senate; House Committee marks up H.R. 202; rural housing appropriations; H.R. 1180; Labor-HHS bill; minimum wage; at a glance); HUD; Federal Register; Events; Resources; Calendar.

*****Point of View by Sheila Crowley, President, NLIHC

Let's go over the numbers again. The data are quite clear. Despite record levels of employment and job growth, the affordable housing crisis continues unabated. HUD's latest analysis of the American Housing Survey (see elsewhere in Memo) reports that rents are increasing at twice the rate of inflation, the number of extremely low income renters (incomes at less than 30% of the area median) climbed 3% in two years, and the housing stock they can afford is 5% smaller than it was in 1991. HUD's findings echo those in Out of Reach, in which NLIHC reports that the percent of renters unable to afford a two bedroom unit at the fair market rent ranges from 31% in Wisconsin to 53% in Virginia. Nowhere in the country can a full time minimum wage worker afford the fair market rent. The full time hourly wage that one must earn to afford a two bedroom unit ranges from \$8.02 in West Virginia to \$15.90 in New Jersey.

As stark as the numbers are, they do not really convey the meaning of the crisis. People have a hard time grasping how this could be. Each of us interprets the same data in different ways, based on our own experience and perspective. Some will assert that poverty is relative and that being poor in the United States is not as bad as it used to be. Some reporters, who have called in the last two weeks, question why we would compare housing costs to the minimum wage. The minimum wage, they say, is not supposed to support a family, but rather it is a wage meant for teenagers. Please note that 71% of minimum wage workers are 20 years of age or older (Mishel, Bernstein, Schmitt. The State of Working America 1998-99. Economic Policy Institute).

Here's what happens to people who do not have much money in today's housing market. They pay a precariously high percentage of their income on their housing and scrimp on other basics like food, medicine, heat, or child care. Or the adults in the family work two or three or more jobs to make ends meet with little time left to be the kind of parents they want to be. Or they live in overcrowded or substandard housing that threatens the physical and emotional well-being of each family member. Or they cannot pay the rent and are evicted, and start on a downward spiral with bad credit, destabilized work, school, and family life, and ultimately are at risk of homelessness. A woman in Newark wrote to us this week to say her family lives in an old, dilapidated, and cramped apartment, but if they moved they would have to pay "\$800 or so a month. We can't afford it, so we are still here living in these harsh conditions." She adds that she is a taxpayer and a registered voter.

There is nothing complicated about decreasing the gap between income and rent. Increase income and reduce housing costs. There are two tangible actions that the Congress can take next week that will help. Add new vouchers to the HUD appropriations bill and approve an increase in the minimum wage.

*****Capitol Hill

***HUD Bill Passes Senate; HOPWA & 811 Increased

The Senate, by voice vote, passed its version of the HUD-VA FY2000 appropriations bill on September 24. Housing and community development programs and their funding levels remained substantially unchanged from earlier Senate versions of the bill. Two programs' funding levels did change due to the successful efforts of Senator John Kerry (D-MA): Housing for Persons With AIDS and Section 811 (housing for disabled people) programs both increased \$7 million. A House and Senate conference committee on the bill could begin as early as the week of September 27. It is unclear if conferees will have enough time to produce a final bill and have it signed into law before the beginning of the new fiscal year on October 1. A continuing resolution may be necessary.

Much of the Senate's floor discussion on the bill centered on the need for new Section 8 rental assistance vouchers. Senator John Kerry (D-MA) brought an amendment to the floor providing for 50,000 new vouchers for FY2000. The amendment was eventually withdrawn as it became very clear that the HUD-VA Appropriations Committee Ranking Democrat Senator Barbara Mikulski (D-MD) would do her best to secure new vouchers during the conference committee. In addition to Senators Kerry and Mikulski, several Senators spoke passionately about the need for new vouchers and their support for including funding for vouchers in the HUD bill. Senate Minority Leader Thomas Daschle (D-SD), Senator Evan Bayh (D-IN), Senator Richard Bryan (D-NV), Senator Carl Levin (D-MI), Senator Jack Reed (D-RI), Senator Joseph Biden (D-DE), Senator Robert Torricelli (D-NJ) and Senator Richard Durbin (D-IL), among others, spoke in support of new vouchers.

Several Senators also spoke about their support for the continuation of HUD's Community Builder Fellows program. The Senate has recommended eliminating this program as of February 1, 2000.

The Conference Committee is expected to include members of the Senate and House HUD-VA Appropriations Subcommittees and the Chairs and Ranking Members of the Senate and House Appropriations Committees. If this is the case, the conference committee will include: Senators Bond (R-MO), Burns (R-MT), Shelby (R-AL), Craig (R-ID), Hutchison (R-TX), Kyl (R-AZ), Mikulski (D-MD), Leahy (D-VT), Lautenberg (D-NJ), Harkin (D-IA), Stevens (R-AK) and Byrd (D-WV); and Representatives Walsh (R-NY), DeLay (R-TX), Hobson (R-OH), Knollenberg (R-MI), Frelinghuysen (R-NJ), Wicker (R-MS), Northup (R-KY), Sununu (R-NH), Mollohan (D-WV), Kaptur (D-OH), Meek (D-FL), Price (D-NC), Cramer (D-AL), Young (R-FL) and Obey (D-WI).

***H.R. 202

The House Banking Committee marked-up H.R. 202, the "Preserving Affordable Housing for Senior Citizens and Families into the 21st Century Act." Committee members congratulated one another for crafting a comprehensive affordable housing bill that includes Democrat and

Republican sponsored initiatives.

H.R. 202 encompasses several different housing issues, including important housing preservation language. H.R. 202 provides for: the preservation of project-based federally subsidized housing by marking rents up to market rates (and thus keeping it attractive for owners to stay in the program); enhanced or "sticky" vouchers which "stick" to the housing unit if an owner leaves the subsidy program, thereby ensuring that currently housed people are protected; and, a matching grant program so that federal dollars will match state dollars going toward the preservation of housing stock.

Among other issues, the bill also contains major provisions for elderly housing by requiring HUD to convert the financing of pre-1990 elderly housing to the post-1990 method of providing assistance to new developments. The post-1990 method is done through non-repayable capital advances and project rental assistance contracts.

Several amendments were added to the legislation. The bill is expected to be introduced in the House on suspension calendar, a method of introducing a bill without amendments, on September 27.

***Rural Housing Appropriations

Conferees negotiating differences between the House and Senate agriculture funding bills continue to seek a final bill. The House completed its bill in June (H.R. 1906) and the Senate passed its bill in August (S. 1233). This bill fund the Rural Housing Service, an agency within the U.S. Department of Agriculture. RHS's Section 515 Rural Rental Housing Loans program provides affordable multifamily rental housing for very low, low and moderate income families. Its funds may also be used to buy and improve land and to provide necessary facilities such as water and waste disposal systems. People living in substandard housing are given first priority for tenancy. When rental housing is used top priority is given to very low income households. The Section 515 program, compared to most other RHS programs, serves very low income families. The average resident served by the programs has an income of \$7,600. The Section 521 program, the Rural Rental Assistance Program, helps the 515 program serve very low income people by providing an additional deep subsidy for very low income residents.

The 515 and 521 rural housing programs, working together, are critical components of RHS's efforts to serve very low income families. The Senate has level funded (with FY99) Section 515 funding for FY2000 at \$114.3 million and increased funding for the Section 521 program from the FY99 level of \$584 million to \$640 million. The House has recommended increasing funding for the Section 515 program to \$120 million and has level funded (with FY99) Section 521 funding for FY2000 at \$584 million.

House and Senate conferees will try to bring a final bill together by the start of the new fiscal year, October 1.

***H.R. 1180 Stalled in The House

After almost ten years, the Senate moved one step closer to providing work incentives for persons with disabilities by voting 99-0 in support of the Work Incentives Improvement Act of 1999. This legislation would improve current laws that provide disincentives for persons who are disabled not to work by eliminating cash benefits and Medicare health care if they do work. The House Commerce Committee approved

a companion bill, H.R. 1180, on May 19. That bill is now stalled in the House Ways And Means Committee with no action on the floor scheduled.

For more information on H.R. 1180 access "What's New" page at The Arc website at <http://TheArc.org> .

***Labor-HHS Bill

The House Appropriations Committee marked up it's FY2000 Labor-HHS spending bill on September 23. They were able to do so by using various budgeting tactics including deferring release of \$15.7 billion in education, health and training program monies until FY2001 and declaring \$1.4 billion for the 20-year old low income home energy assistance program as an emergency expenditure, thus brining this program's funding off-budget. The Labor-HHS subcommittee's allocation of funds has been raided throughout the FY2000 appropriations season by other subcommittees. The President has called the bill unacceptable, has stated he will veto the bill if it came to him in its current form and has asked House members to vote against the bill when it comes up for a vote.

The House bill cut funding for job training, labor law enforcement and employment aid. The bill was approved on a party-line vote of 8-6. The bill cuts funding many education programs; cuts funding for the Occupational Safety and Health Administration by \$17 million; cuts the National Labor Relations Board by \$10 million; cuts job training by 10%; level funds the social services block grant with FY99 and increases funding for the community services block grant by \$10 million. The Senate has yet to take action on their Labor-HHS bill.

***Minimum Wage

Senate Republicans this week lacked the votes to keep Senator Edward Kennedy (D-MA) from attaching his bill to raise the minimum wage to legislation overhauling the nation's bankruptcy code. As a result, they pulled the bankruptcy bill from consideration. Senator Kennedy has vowed to keep trying to bring up his minimum wage bill at every opportunity for the rest of the year.

Senator Kennedy's bill (S. 192) would raise the current federal minimum wage from \$5.15 an hour to \$6.15 an hour in two 50 cent increments over the next two years. Representative David Bonior has introduced companion legislation in the House (H.R. 325). He has initiated a discharge petition in order to bring his bill up in the House. Representative Jack Quinn, a Republican of New York, has also introduced minimum wage legislation. He and 17 other Republicans have written a letter to House Speaker Dennis Hastert requesting that he schedule a vote on a minimum wage bill in the fall.

***At A Glance

Bill: H.R. 10

Topic: Financial Modernization

Status: Passed House on July 1. In Conference Committee with S. 900.

Outlook: Representative Jim Leach (R-IA) is Chair of the Conference Committee. Community Reinvestment Act requirements are at risk. Senator Phil Gramm (R-TX) has stated he does not believe a financial modernization bill will pass this year because of issue disagreements and time constraints. Conference Committee members will meet on September 29 to discuss the Community Reinvestment Act.

Bills: H.R. 175/S. 1017

Topic: Increase the Low Income Housing Tax Credit

Status: H.R. 175 in the House Ways and Means Committee and S. 1017 in the Senate Finance Committee

Outlook: A five-year phase-in of an increase to the LIHTC and its indexing to inflation was included in H.R. 2488, the \$792 billion ten year Republican tax cut bill which was vetoed by the President. The bill also includes a provision that each state would receive a minimum of \$2 million in tax credits. It is unclear if there will be an increase to the LIHTC this year in any smaller versions of the tax cut bill to be developed.

Bills: H.R. 202/H.R. 1624

Topic: Elderly Housing Bills

Status: In the House Banking and Financial Services Committee. Hearing held on H.R. 202 and legislation which would blend H.R. 202 with H.R. 1624 and housing preservation bills (H.R. 425 and H.R. 1336).

Outlook: H.R. 202 to be brought to House floor on September 27.

Bill: H.R. 425

Topic: Housing Preservation Matching Grant

Status: In the House Banking and Financial Services Committee

Outlook: See H.R. 202.

Bill: H.R. 595

Topic: FHA Foreclosure Prevention

Status: In House Banking and Financial Services Committee

Outlook: Advocates are seeking additional co-sponsors.

Senate version, S. 1553, has been introduced.

Representatives from the Philadelphia Unemployment Project testified in support of including this bill into

Representative Lazio's H.R. 1776 at a September 15 hearing.

Bills: H.R. 864/ S. 459

Topic: Increase the state private activity bond caps

Status: H.R. 864 in House Ways and Means Committee and S. 459 in the Senate Finance Committee.

Outlook: The increase in the bond cap, but not its indexing to inflation, is included in H.R. 2488, the GOP's \$792 billion tax cut bill which was vetoed by the President. It is very unlikely that Congress will pass a big tax bill. Thus, the chances for bond cap increases this year are highly unlikely and hinge on its inclusion in a scaled-back tax bill.

Bill: H.R. 1336

Topic: Emergency Residents Protection Act

Status: Hearing held in House Housing and Community Opportunity Subcommittee of the House Banking and Financial Services Committee.

Outlook: See H.R. 202.

Bill: H.R. 1073

Topic: Homeless Programs Consolidation and Flexibility Act

Status: Hearing held and later voted out of House Housing and Community Opportunity Subcommittee. Still in House Banking and Financial Services Committee.

Outlook: Stalled for now. There is no Senate counterpart for this bill.

Bill: H.R. 1776

Topic: Homeownership Bill

Status: Hearing held September 15 in the House Housing and Community Opportunity Committee.

Outlook: A scaled-back, similar bill, S. 1333, has been introduced in the Senator Ron Wyden (D-OR). Outlook for passage unclear.

Bill: H.R. 2400
Topic: Programmatic Changes to Low Income Housing Tax Credit

Status: In House Ways and Means Committee
Outlook: Most of H.R. 2400's language is within H.R. 2488, the GOP's mega tax cut bill which was vetoed by the President.

Bill: S. 900
Topic: Financial Modernization
Status: Passed Senate
Outlook: Senate and House conferees have been named. House Banking Committee Chairman Jim Leach (R-IA) is Chair of the Conference Committee for H.R. 10 and S. 900. The President has been very vocal in his support for the Community Reinvestment Act, which this bill kills. Senator Phil Gramm (R-TX) has stated he does not believe a financial modernization bill will pass this year because of content disagreements and time constraints. Conference Committee members will meet on September 29 to discuss the Community Reinvestment Act.

Bill: S. 1318
Topic: Matching Grants for Housing Preservation
Status: Sponsored by Senators Jeffords (R-VT), Kerry (D-AM), Grams (R-MN), Sarbanes (D-MD) and Wellstone (D-MN). Currently in the Senate Banking Committee. Hearing held July 1 in Senate Banking Committee's Housing and Transportation Subcommittee.
Outlook: See H.R. 202 for movement on preservation bills.

Bill: S. 1319
Status: Sponsored by Senator Bond (R-MO). Hearing held July 1 in Senate Banking Committee's Housing and Transportation Subcommittee.
Outlook: Has been included in the Senate Appropriations Committee's FY2000 HUD funding bill.

*****Fact of the Week

Least Affordable States
Estimated Hours/Week Needed To Work At Federal Minimum Wage To Afford 2 Bedroom Fair Market Rate (40 hour work week)

Hawaii, 132 hours
New Jersey, 123 hours
New York, 123 hours
District of Columbia, 122 hours
Massachusetts, 119 hours
Alaska, 116 hours
California, 116 hours
Connecticut, 114 hours
Maryland, 103 hours
Nevada, 103 hours

Source: Out of Reach, National Low Income Housing Coalition (1999).

*****HUD

***New Findings on Affordability

In 1997 and 1998 rents increased at twice the rate of general inflation, finds a HUD report released on Thursday. The Widening Gap: New Findings on Housing Affordability in America also concludes that:

* despite a robust period of economic expansion, the housing stock affordable to struggling families continues to shrink;

- * as the affordable housing stock shrinks, the number of renters at or below 30 percent of median income continues to grow;
- * the gap between the number of struggling Americans and the number of rental units affordable to them is large and growing -- for every 100 households at or below 30 percent of median income, there were only 36 units both affordable and available for rent.

The report also notes that other recent studies, including NLIHC's Out of Reach, are a growing body of evidence indicating the increased need for housing assistance. HUD's report concludes that the widening of the housing affordability gap can be attributed in large part to the lack of federal appropriations for new housing assistance.

****Federal Register

***PHA Plans Due Date Changed

On September 21, HUD issued an amendment to the interim public housing agency plan rule. The amendment changes to plan submission date for agencies' first sets of plans. Originally, PHAs with fiscal years beginning on January 1 were to have submitted their annual and five-year plans to HUD by October 15. The amendment changes that first due date to December 1. For all other fiscal years beginning dates (those after January 1), the plans are due to HUD 75 days before the start of the new fiscal year. To access this amendment, go to <http://www.hudclips.org> and look under recent FR notices for Docket No. FR-4420-F-04. The National Housing Law Project has collected, and made easily accessible, PHA fiscal year start dates. You can access these fiscal year start dates at <http://www.nhlp.org/pubhsg/phafy.htm>.

***ROSS NOFA Amended

HUD, in the September 22 Federal Register, amended its notice of funds availability for the Resident Opportunities and Self Sufficiency Program. The NOFA had stipulated that previous tenant opportunity program, EDSS or service coordinator grantees must have used at least 75% of their initial funding before applying for ROSS funds. This requirement has been removed. To access this amendment, go to <http://www.hudclips.org> and look under recent FR notices for Docket No. FR-4520-N-02.

****Resources

***TANF Funds

The Center on Budget and Policy Priorities (CBPP) has released "Should TANF Block Grant Funds be Rescinded?" The report analyzes the current Capitol Hill proposal to rescind \$3 billion in unspent TANF funds and to make those funds available to states in FY2001. The report finds that the \$3 billion dollars represents roughly one third of the TANF funds that states have left unspent. The proposal has surfaced in an effort accommodate the FY2000 Labor- HHS- Education bill.

The proposal's proponents argue that these funds are unlikely to be spent during this or the following fiscal year, and therefore should be available for other purposes.

The authors suggest two consequences of the proposal. First, it would punish states that have been frugal with their funds or saving them for a rainy day. If the economy does take a downturn, states would need the extra money to assist families. Under the rescission proposal, states that

planned for this would be left to fend for themselves. Second, it introduces instability to the TANF funding process. Although the 1996 welfare law specifies that TANF funding would hold steady for seven years, once the precedent of rescinding TANF funds is established, it increases the likelihood of future rescissions.

The report concludes that states may be reluctant to begin any new programs if this proposal goes through because there would be less certainty that the programs would be backed by any federal assistance.

To obtain the report, contact the Center on Budget and Policy Priorities at 202/408-1080 or go to <http://www.cbpp.org>

***Self-Help Housing Resources

Funds to help 600 families build their own homes are available from the Housing Assistance Council (HAC). Under the Self-Help Homeownership Opportunity Program, HAC will make loans available to local nonprofit housing developers around the country who have experience in the self-help construction method. Seventy-five percent of a self-help opportunity program loan is forgivable when the borrower/developer produces its affordable self-help housing units. Housing developers can obtain application information and forms from HAC, 1025 Vermont Ave., NW, Suite 606, Washington, DC 20005, phone 202/842-8600, fax 202/347-3441, email cdd@ruralhome.org. Applications are due November 12, 1999 and funding decisions will be made in January 2000.

***Smart Growth Award

The National Neighborhood Coalition is seeking candidates for its Communities Leading the way award. The award is part of NNC's Neighborhoods, Regions and Smart Growth Project. Groups eligible for the award are community, neighborhood or faith-based organizations or coalitions of such groups who are working towards progressive regional growth. For more information and an electronic nomination form, go to NNC's website, at <http://www.neighborhoodcoalition.org/smart%20growth.htm#Communities>. Deadline for nominations is October 31.

***Innovations in American Government

The John F. Kennedy School of Government at Harvard University and The A. Alfred Taubman Center for State and Local Government are, for the fourteenth year, accepting applications for their program, Innovations in American Government. This program makes an effort to recognize new and creative ways to problem solving in the public sector.

Since 1986, the programs inception, they have recognized 225 programs, and have issued \$15.9 million in Ford Foundation Grants. In 1995 the fields were expanded to include all units of government - federal, state, local, tribal and territorial - within the United States of America. Though this program crosses all lines of government, they are focused on domestic programs. Defense and international agencies are only eligible if their program includes significant domestic policy. Also, applicants programs are used to strengthen the Kennedy School's public management, public administration, and public policy courses across the country.

To find out more about eligibility, selection criteria, deadline and decision schedule, or to receive an electronic application contact Innovations in American Government: (617) 495-0557. On the Internet: www.innovations.harvard.edu

*****Events

***Enterprise's 100,000th Home

The Enterprise Foundation celebrated the construction of its 100,000th home on September 21. The Enterprise Foundation is the first non-profit in the country to reach this goal and they held a national celebration with live video telecasts from three sites around the country feeding into 14 cities linked together by satellite and the Internet. The Enterprise Foundation works with more than 1300 nonprofits to produce affordable housing and that work paid off this week with the 100,000th home celebration. HUD Secretary Andrew Cuomo congratulated Enterprise and went on to talk about the housing needs which persist in the United States and asking people to go out and start working on the next 100,000 homes. Congratulations, Enterprise.

*****1999 Calendar of Housing and Community Development Events

To list your event in our next calendar, please send in the date, location, topic and contact info via e-mail to linda@nlhc.org or fax to 202-393-1973, attention Linda.

September

September 27-30. Breckenridge, CO. 1999 Colorado Housing NOW! Eleventh Annual Conference. 303/404-2285.

September 28. Boston, MA. Charting a New Course: Strategies for Improving State and Federal Housing. Citizens' Housing and Planning Association, 617/742-0820.

September 28-29. Baltimore, MD. And Justice For All. Center for Poverty Solutions' 12th annual conference. 410/366-0600. <http://www.ctrforpovertysolutions.org>.

September 28-29. Deerwood, MN. Minnesota Coalition for the Homeless Annual Conference, "There's No Place Like Home". 612/870-9085.

September 29. San Francisco, CA. The Non-Profit Housing Association of Northern California Annual Conference. Call Sai Seigel at 415/989-8160.

September 30, 1999. Washington, DC. Fannie Mae Foundation Annual Housing Conference. Legacy of the 1949 Housing Act - past, present and future of federal housing and urban policy.

September 30-October 4. Rochester, NY. Catholic Charities USA. 1999 Annual Conference - Images of Our Roots-Visions of Our Future. <http://www.catholiccharitiesusa.org>

October

October 7-8. Chicago, IL. National Association of Affordable Housing Lenders. 1999 Fall Conference, It's Not Just Housing Anymore: Financing Community Development Goes Mainstream. 202/429-5150.

October 9-12. Washington, DC. Wider Opportunities for Women, Paths Out of Poverty. 202/638-3143.

October 12-15. Crystal City, VA. The Enterprise Foundation. 18th Annual Network Conference. 410/772-2467 or <http://www.enterprisefoundation.org/resource/netconf>

October 13-16. San Juan, Puerto Rico. National Puerto Rican Coalition Annual Policy Conference. 202/223-3915 or toll free 888/749-6772.

October 13-16. Denver, CO. National Community Capital Association 15th annual conference. 215/923-4754.

October 14-15. Atlantic City, NJ. Governors Fifth Annual Conference on Housing and Community Development. 609/278-7562.

October 14-17. Chicago, IL. Community Food Security Coalition annual conference. 310/822-5410.

October 17-19. Poughkeepsie, NY. Neighborhood Preservation Coalition of New York State, annual conference, "Revitalizing and Rebuilding Our Communities." 518/432-6757.

October 17-20. Philadelphia, PA. National Association of Housing and Redevelopment Officials National Conference and Exhibition. "Creating Communities for the New Millennium". 202/289-3500.

October 18-19. Dallas, TX. National Housing Conference, fall policy conference. 202/393-5772x22.

October 21. Framingham, MA. Expanding Affordable Housing Production in Suburban and Rural Communities. Citizens' Housing and Planning Association. 617/742-0820.

October 24-26. Los Angeles, CA. Independent Sector Annual Conference: The Interactive Summit on the State of the Nonprofit Sector. 202/467-6100.

October 25. Washington, DC. National Low Income Housing Coalition's Leadership Reception. 202/662-1530.

October 25-28. Chicago, IL. American Association of Homes and Services for the Aging 38th annual meeting and exposition. 888/508-9441 or <http://www.aahsa.org>.

October 27-30. Toronto, Canada. National Association of Housing Cooperatives annual conference, Sharing Challenges and Solutions. 703/549-5201 or DenizNAHC@aol.com.

October 28. San Diego, CA. The Nonprofit Federation for Housing and Community Development Annual Conference. 619/239-6693 or npfh@access1.net.

October 28. Cromwell, CT. From Housing to Community, annual conference of the Connecticut Housing Coalition. 860/563-2943.

October 28-31. Hartford, CT. National Student Campaign Against Hunger and Homelessness. 12th Annual Conference. 310/397-5270x323; nscanh@aol.com.

November

November 1. Washington, DC. Third annual American Institute of Certified Planners Symposium: States Growing Smarter. In conjunction with the American Planning Association. \$25. 202/872-0611 or aicp@planning.org.

November 1-3. Seattle, WA. Housing Washington 1999. <http://www.wshfc.org> or <http://www.cted.wa.gov>.

November 3-5. Washington, DC. Public Housing Primary Care Program 8th Annual Conference. 301/429-2300.

November 8-9. Sarasota, FL. From the Front Porch to Main Street. Florida Housing Coalition's 12th annual conference. 850/878-4219 or fhc@nettally.com.

November 17-19. San Diego, CA. Partners for Smart Growth

Conference sponsored by the Urban Land Institute, U.S. EPA, Smart Growth Network, The Local Government Commission and The Land Conservation Fund. 800/321-5011 or <http://www.uli.org>

December

December 3-6. Washington, DC. National Affordable Housing Management Association fall meeting and education conference. <http://www.nahma.org>.

*****Save the Dates!

Stephen Coyle, CEO of the AFL-CIO Housing Investment Trust, will be honored at NLIHC's annual leadership reception on October 25 at the Washington Court Hotel, Washington, DC. We look forward to honoring Mr. Coyle for his many years of advocacy on behalf of affordable housing and America's low income families. To buy tickets, call 202/662-1530.

The NLIHC semi-annual state coalition meeting takes place on Saturday, October 23, and the regular Board of Directors meeting on Sunday, October 24.

***NLIHC 2000 Conference

The annual NLIHC conference will be held March 27-29, 2000 in Washington, DC. The state coalition meeting will be on March 26, 2000. We hope you can join us.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDER NO. 99-198

Approving the transfer of tax-foreclosed properties to non-profit housing sponsors for low income housing purposes.

The Multnomah County Board of Commissioners Finds:

- (a) Requests for certain tax-foreclosed properties were received pursuant to procedures set forth in Multnomah County Ordinance No. 895 and the Multnomah County Affordable Housing Development Program.
- (b) A public hearing was held before the Board of County Commissioners on October 7, 1999 to determine whether the transfer would serve the public purpose of providing decent and safe low income housing, and the Board being fully informed in the matter.

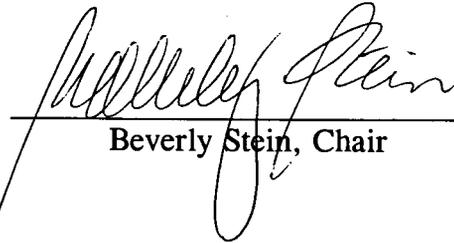
The Multnomah County Board of Commissioners Orders:

1. The transfer of tax-foreclosed property (recipients and transferred tracts are listed and attached as Exhibit A), for public purposes under the auspices of the County Affordable Housing Development Program is approved.
2. The Chair is authorized to execute all documentation required to complete said transfer.

ADOPTED this 7th day of October, 1999.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Beverly Stein, Chair

THOMAS SPONSLER, COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON

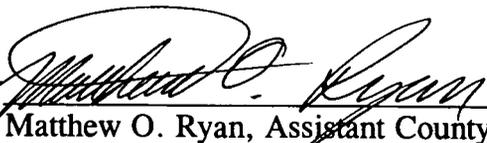
By 
Matthew O. Ryan, Assistant County Counsel

Exhibit A

LIST OF TRANSFER PROPERTIES

1. ROSE Community Development Corporation

A. Legal Description: Tax Lot #55 in Section 18, Townships 1 S, Range 2E
Address: 4734 SE 59th Avenue, City of Portland
Tax Account Number: R-99218-0550
Taxes and Costs: \$29,936.32

B. Legal Description: Lots 9 & 10, Block 9, STANLEY & PLAT #2
Address: 1545 SE 89th Avenue, City of Portland
Tax Account Number: R-79050-3580
Taxes and Costs: \$33,762.60

2. Housing Our Families

A. Legal Description: Lot 9, Block 22, HIGHLAND ADDITION
Address: 4525-4527 NE Grand Avenue, City of Portland
Tax Account Number: R-38430-2570
Taxes and Costs: \$7,800.23

3. Franciscan Enterprise of Oregon

A. Legal Description: Tax Lot #15 in the West ½ of Block N, M PATTONS AND SUB.
Address: 838 NE Alberta Street, City of Portland
Tax Account Number: R-5270-7150
Taxes and Costs: \$12,948.59

B. Legal Description: Lot 17, Block 15, INA PARK ADDTION
Address: 5111 NE 29th Avenue, City of Portland
Tax Account Number: R-41390-6150
Taxes and Costs: \$4,706.02

4. Portland Habitat for Humanity

A. Legal Description: Except that part in Street, Lot 8, Block 20, COLUMBIA HEIGHTS
Address: Vacant lot near the intersection of NE 13th & Highland
Tax Account Number: R-17310-3940
Taxes and Costs: \$1,000.00

B. Legal Description: The West 33.33 feet of the North 10 feet of Lot 15, Block 15, LINCOLN
PARK ADDITION
Address: 1122 NE Beech Street
Tax Account Number: R-49710-2330
Taxes and Costs: \$2,432.51

C. Legal Description: Except the Easterly 5 feet thereof, Lots 7 & 8, Block 4, EAST PORTLAND PARK

Address: Vacant lot near the intersection of NE 47th Avenue & NE Sumner Street

Tax Account Numbers: R-22710-0320 & R-22710-0330

Taxes and Costs: \$1,791.73

5. Northeast Community Development Corporation

A. Legal Description: Lots 47 & 48, Block 40, PENINSULAR ADDITION #3

Address: 2645 North Willis Blvd.

Tax Account Number: R-65523-2550

Taxes and Costs: \$6,900.29

B. Legal Description: The West 33.33 feet of the East 66.66 feet of Lot 16, and the West 33.33 feet of Lot 16, Block 20, CENTRAL ALBINA

Address: Formerly 532 & 540 North Skidmore Street, City of Portland

Tax Account Numbers: R-14680-1300 & R-14680-1310

Taxes and Costs: \$5,209.35

6. REACH Community Development, Inc.

A. Legal Description: Lot 1, Block 29, LADDS ADDITION

Address: 1949SE Division Street, City of Portland

Tax Account Number: R-46330-6450

Taxes and Costs: \$7,210.76

7. Portland Community Design

A. Legal Description: Lot 11, Block 3, ALBINA HOMESTEAD

Address: Formerly 3924 & 3930 NE Garfield Avenue, City of Portland

Tax Account Numbers: R-01050-1280 & R-01050-1290

Taxes and Costs: \$2,610.19

8. Peninsula Community Development Corporation

A. Legal Description: Lots 5 & 6, Block 1, GRAYBROOK ADDITION

Address: 7522 North Omaha Street, City of Portland

Tax Account Number: R-33950-0050

Taxes and Costs: \$5,735.64

B. Legal Description: Lot 16, Block 4, BARTONS ADDITION

Address: Vacant lot south of 10125 North Allegheny St., City of Portland

Tax Account Number: R-05630-0830

Taxes and Costs: \$15,890.00

C. Legal Description: Lots 3 & 4, Block 11, PENINSULAR ADDITION #2

Address: 8716 North Bayard Avenue, City of Portland

Tax Account Number: R-65521-3790

Taxes and Costs: \$8,881.52

9. Sabin Community Development Corporation

A. Legal Description: Lot 11, Block 19, LINCOLN PARK ANNEX

Address: 4025 NE 9th Avenue, City of Portland

Tax Account Number: R-49730-3100

Taxes and Costs: \$3,622.89

B. Legal Description: Except the South 70 feet thereof, the East ½ of Lot 1, Block 13,
KILLINGSWORTH GARDENS

Address: 5220 NE Ainsworth Street, City of Portland

Tax Account Number: R-45000-4960

Taxes and Costs: \$29,780.70

10. Housing Authority of Portland

A. Legal Description: Tax Lot #168 in Section 12, Township 1 North, Range 1 West

Address: Formerly 8010 SW 45th Avenue, City of Portland

Tax Account Number: R-99120-1680

Taxes and Costs: \$6,954.47

11. Jubilee Communities

A. Legal Description: The West 50 feet of Lot 9, Block 6, NORTH IRVINGTON ADDITION

Address: 923 NE Failing Street, City of Portland

Tax Account Number: R-61150-1390

Taxes and Costs: \$1,970.83

BUDGET MODIFICATION NO.

DSS02

OCT 07 1999

(For Clerk's Use) Meeting Date

Agenda No.

R-5

1. REQUEST FOR PLACEMENT ON THE AGENDA FOR

(Date)

DEPARTMENT

Support Services

DIVISION Admin

CONTACT

Steve Pearson

TELEPHONE

26083

* NAME(S) OF PERSON MAKING PRESENTATION TO BOARD

Vickie Gates

SUGGESTED

AGENDA TITLE

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

Supplemental Budget- Approve Budget Modification 00 DSS 02 appropriating costs of purchasing and installing Integrated Enterprise System

(Estimated Time Needed on the Agenda)

2. DESCRIPTION OF MODIFICATION

(Explain the changes this Bud Mod makes. What budget does it increase? What do changes accomplish? Where does the money come from? What budget is reduced? Attach additional information if you need more space.)

Personnel changes are shown in detail on the attached sheet

Approves expenditure of \$8,997,389 to implement the Integrated Enterprise System.

The modification adds three permanent positions in Information Services to support the hardware and software (charged to COP) and which will be required post implementation to maintain the system. Additionally, a Project Manager and OA/Snr are added as limited duration positions for no more than 2 years.

3. REVENUE IMPACT

(Explain revenues being changed and reason for the change)

Certificate of Participation of \$9,000,000 with annual payments of approximately \$1.3 million. \$650,000 is included in current budget to cover any interest payment in 99-00.

4. CONTINGENCY STATUS

(to be completed by Budget & Quality)

N/A

Fund Contingency before this modification

Date

After this modification

Originated By

Date

Steve Pearson

9/29/99

Department Director

Date

Vickie Gates

Date

9/29/99

Plan/Budget Analyst

Date

David C. Starn

9/29/99

Employee Services

Date

Dorothy L. Gil

9/29/99

Board Approval

Date

Wendy H. Bogstad

10/7/99

99 SEP 30 11 5 32
BUDGET & QUALITY

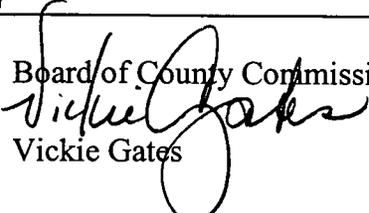


MULTNOMAH COUNTY, OREGON

BOARD OF COUNTY COMMISSIONERS
BEVERLY STEIN
DIANE LINN
SERENA CRUZ
LISA NAITO
SHARRON KELLEY

DEPARTMENT OF SUPPORT SERVICES
PORTLAND BUILDING
1120 S.W. FIFTH - ROOM 1410
P. O. BOX 14700
PORTLAND, OR 97214
PHONE (503)248-5880

TO: Board of County Commissioners

FROM: 
Vickie Gates

TODAY'S DATE: September 29, 1999

REQUESTED PLACEMENT DATE: October 7, 1999

SUBJECT: Integrated Enterprise System Expenditure Authorization – BM DSS 02

- I. Action Requested:** Approve expenditure of \$8,997,389 and authorization to add 3 permanent full time positions and two limited duration positions to implement the IES system. The revenue source for the expenditures during the project development will be the Certificate of Participation which was approved by the Board as part of the FY 99-00 Adopted budget.
- II. Background Analysis:** Beginning in the summer of 1998, the County examined the benefits that an integrated financial, procurement and human resources system would provide. An Executive Steering Committee was formed consisting of executive managers from all departments plus the offices of the Sheriff and District Attorney. Briefings were held with the Board, other elected officials, and County stakeholders through the summer and fall of 1998. The Board authorized the issuance of an RFP for an integrated system which was issued in December 1998.

An evaluation team reviewed the proposals, participated in vendor demonstrations, and conducted site visits to select the best product and the best implementation firm for the county. Given that the selection process was underway and that there was a broad range in the bids submitted by the vendors, the budget did not include the expenditure limitation which the project would require and only estimates could be provided to the Board of the final cost.

In early July, the RFP team unanimously recommended the SAP software with Deloitte & Touche (D&T) as the firm to assist with implementation. This was accepted by the IES Executive team and presented to the Board of Commissioners for approval of the award. The Board directed Vickie Gates, Project Sponsor, to proceed with contract negotiations with the selected vendors. As a part of this process, Lisa Yeo, the County's Chief Information Officer recommended (with department input) that the SUN computer platform be used for the new integrated system. This was also accepted by the IES Executive team and then by the Board. The narrative below details the current status of planning for the major portions of the project.

Implementation Contract: Deloitte and Touche

It was the Department's intent supported by the Executive Steering Committee to negotiate a fixed price agreement for the project. To provide the County the most beneficial integrated system and to minimize the scope related risk for both the County and Deloitte and Touche, we conducted a "mini-scoping" session. This session, conducted without cost to the County, brought the software vendor, SAP, the implementation consultant, D&T, and over 40 departmental key leaders and users together to validate the scope of the project and the staff required. From this session, we developed a prioritized proposal of modules for the July 2000 implementation.

The RFP bid for implementation was \$4.2 million while the current recommended scope is \$4.5 million. The developed scope differs from the original proposal as shown in the table below (items changed are in italics). Deloitte and Touche will be increasing their commitment of project staff from the RFP response. They will absorb the costs of 1.5 additional consultants and the County is assuming the cost of 1.0 consultant who is a specialist in the time recording system. The additional functional areas will provide for better tracking and reporting of personnel costs and better tracking and reporting of capital project costs. We believe the recommended scope is a better fit for County needs given much more detailed discussion with county staff and a more complete review of existing county systems. It is achievable with the consultant and county staffing resources which are available.

| Functional Area | Original Proposal | Recommended Scope-Release 1 | Remarks |
|-----------------------|--|---|--|
| Financial Accounting | <ul style="list-style-type: none"> ◆ General Ledger ◆ Accounts Payable ◆ Accounts Receivable ◆ Funds Management ◆ <i>Asset Accounting</i> | <ul style="list-style-type: none"> ◆ General Ledger ◆ Accounts Payable ◆ Accounts Receivable ◆ Funds Management | Asset Acct not as important to County- allows 1 consultant reallocation to other areas |
| Controlling | <ul style="list-style-type: none"> ◆ Cost Center Accounting ◆ Internal Orders | <ul style="list-style-type: none"> ◆ Cost Center Accounting ◆ Internal Orders | |
| Treasury | <ul style="list-style-type: none"> ◆ Cash Management | <ul style="list-style-type: none"> ◆ Cash Management | |
| Project System | <ul style="list-style-type: none"> ◆ Structures ◆ Costs ◆ Revenues and Earnings | <ul style="list-style-type: none"> ◆ Structures ◆ Costs ◆ Revenues and Earnings | Transfer of Asset Acct consultant for more detailed project analysis, cost collection, and billing detail. |
| Investment Management | | <ul style="list-style-type: none"> ◆ <i>Capital Investment Programs</i> ◆ <i>Appropriation Requests</i> ◆ <i>Measures</i> | Necessary for capital budgeting. Included in Project System team scope. |
| Materials Management | <ul style="list-style-type: none"> ◆ Purchasing ◆ Inventory Management ◆ Invoice Verification | <ul style="list-style-type: none"> ◆ Purchasing ◆ Inventory Management ◆ Invoice Verification ◆ <i>External Services Mgmt</i> | Need External Services Mgmt to address County procurement process |
| Sales & | <ul style="list-style-type: none"> ◆ <i>Sales</i> | | Not a core County |

| | | | |
|-----------------|---|--|--|
| Distribution | <ul style="list-style-type: none"> ◆ <i>Shipping</i> ◆ <i>Billing</i> ◆ <i>Pricing & Conditions</i> | | function. Can bill through A/R module-Consultants to Fin Mgmt team |
| Human Resources | <ul style="list-style-type: none"> ◆ Personnel Administration ◆ Organization Mgmt ◆ <i>Personnel Development</i> ◆ Benefits ◆ Payroll ◆ Time Management | <ul style="list-style-type: none"> ◆ Personnel Administration ◆ Organization Mgmt ◆ <i>Compensation Mgmt</i> ◆ Benefits ◆ Payroll ◆ Time Management ◆ <i>Work Schedules</i> ◆ <i>Time Data Recording/CATS</i> ◆ <i>Shift Planning</i> ◆ <i>Time Evaluation</i> ◆ <i>Training & Event Mgmt</i> | Expanded due to complexity of time management and shift planning in County. Supports allocation of expenses to meet Correction, DES, ADS, Health needs |

The components not scheduled to be implemented in Release 1 scheduled for July, 2000 can be considered for future implementation efforts since the system provides capabilities beyond what we are recommending for the July implementation.

Software Contract: SAP

The other major contract is with SAP, the recommended vendor. SAP prices their services generally on the basis of the modules purchased and the number and type of users. The original RFP bid for SAP was \$1.3 million while the recommended contract is for \$1.9 million plus about \$271,000 of training software not included in the original proposal. During the course of the mini-scoping session we refined and significantly increased the number of users we needed of each type. The change in users is shown below:

| User Type | Original Proposal | Final Contract |
|-----------------------|-------------------|----------------|
| Basis Users | 195 | 575 |
| Named | 100 | 270 |
| Info | 100 | 400 |
| Requisition | 100 | 50 |
| Technical | 5 | 5 |
| Employee Self Service | 0 | 3700 |
| Treasury Management | <u>0</u> | <u>5</u> |
| Total Users | 500 | 5005 |

Significant changes were obtained in Basis Users (HR user transactions and journal and payment vouchers), Named Users (power users), Info Users (perform read only and printing transactions), and Employee Self Service (access to perform functions solely for own purposes-for future releases). These changes will allow the benefits of the system to be spread throughout the County workforce.

The County will also be including three additional modules not part of the software package as originally proposed. These are Cash Management, Treasury Management, and Employee Self Service (the latter two to be available for future implementation).

SAP Training Software:

SAP demonstrated two products – Info DB and On Demand that we have determined will assist us in training development and delivery. Info-DB is the compiled training material used in SAP provided training classes targeted for project team members. On-Demand is a tool for developing on-line end user training by using “screen captures” of screens and steps for adopted procedures. Although there will be a significant investment in hands on training when we implement the project, it makes sense to provide on-line training tools which will keep people’s skills current, allow less expensive training of new users, and keep help desk calls to a minimum. We considered the route followed by Sacramento which was independent development of on-line tools. We believe that using the SAP tools is not only more cost effective initially, but will offer long term savings in keeping material updated since it is updated by the vendor to stay compatible with the SAP system.

We have had access to the contracts of other governmental agencies as we have proceeded, have used them as benchmarks and believe that Multnomah County will receive exceptionally good value in both of these agreements. The validation of scope process was an important part of our finalizing the contract and reaching agreements definitive enough to enable the fixed price strategy.

Other County Project Efforts:

We are expecting to start the project on October 4, 1999 using the bulk of the 2nd floor of the Morrison Building as the project location. A Project Manager, Faith Long, has been hired as well as an administrative staff person for the project. Our project manager comes to us from a large private sector company and has experience in their IES installations in the United States, Europe, Asia and South America. She will bring both technical and leadership skills to the effort and has been working closely with the Deloitte and Touche Project Manager in this beginning stage of the project. We have identified 3 new permanent positions required immediately for the implementation of the project and also in the post implementation stage to maintain the system. These positions are: the SAP R/3 Administrator, the SAP Oracle Database Administrator, and the SAP Security Administrator. There will be some level of ongoing programming support for the IES system which will be offset to some degree by elimination of programming support for current systems to be replaced.

The cost of training for end users and the development of curriculum and tools will take resources above the purchase of the SAP tools and we have included consultant services and the cost of training space and support in the budget. We will also be using existing training staff to support the change management/communications and training effort.

With the help of the Departments and the elected officials we have almost completed the staffing which will be required by the County for the project. In addition to the budgeted costs, the Departments of the County including the Sheriff and of course Support Services are making a significant additional financial commitment to this project by dedicating staff. The Executive Steering Committee will continue as the policy body for the project and will monitor its progress.

III. Financial Impact: Budget Modification DSS 02 identifies costs of \$8,997,389 for incremental expenditures to be charged to the project.

Costs include year one of two year limited duration positions for the Project Manager and OA/Senior and one year of the ongoing information service additional positions. These three positions (annual cost \$270,000) would need to continue in the Information Services Division after installation of Release 1. Personnel costs for Multnomah County personnel assigned to the project which are not identified in the detailed analysis are expected to be absorbed by the Department sending the person to the Project.

The budget does include \$300,000 in contingency. This represents less than 5 percent which is modest for a project of this scope and if not required, it will be returned for payment of the loan.

A summary of Project costs follows:

| Cost Category | Project Cost |
|--|--------------|
| External Cost-D&T | \$4,537,000 |
| External Cost-SAP | 1,912,939 |
| External Cost-SUN hardware | 485,558 |
| Site Related Costs | 270,905 |
| Training | 321,720 |
| Training-On Site and Info DB from SAP | 270,821 |
| General Costs (Incl \$300,000 contingency) | 679,050 |
| Technical Costs (3 FTE plus project O/T) | 519,396 |
| Total Cost | \$8,997,389 |

The FY99/00 budget includes a Certificate of Participation (COP) issue of \$8,000,000, which was the preliminary estimated cost of the IES implementation. The COP was to be retired over a 7 year period with an annual payment of about \$1.3 million. The first year interest payment of \$650,000 is also included in the budget.

The final recommended budget for the IES is approximately \$9,000,000 and we are recommending that the repayment of the COP be extended one year. This will allow us to retain approximately the original principal and interest payment which has been used in the budgetary planning.

Because of the increase in the estimated amount, this budget modification is a supplemental budget and was so advertised in the *Oregonian*.

Attachments providing more detail are included.

IV. Legal Issues: Contracts have been reviewed by County Counsel

V. Controversial Issues: None

VI. Link to Current County Policies: Supports the Good Government Benchmark directly by producing information on a timely basis and with greater accuracy. Supports other benchmarks indirectly by providing program managers more tools to understand and manage their areas.

VII. Other Government Participation: All County departments as well as elected office agencies have participated extensively in the development, design, leadership, and selection of the IES system.

Attachments

IES Executive Team

IES Project Team (as of September 29, 1999)

Detailed Budget

Transaction Detail

Financing Detail

IES Executive Team

- Vickie Gates-Chair of Committee
- Dave Boyer-Finance
- Don Carlson-Aging
- Fernando Conill-Employee Services
- Becky Cobb-Library
- Lance Duncan-DES
- Delma Farrell-Chair's Office
- Tom Fronk-Health
- Suzanne Kahn-Health
- Dan Oldham-Sheriff
- Steve Pearson-DSS
- Tom Simpson-DA
- Meganne Steele-JACJ
- Kathy Tinkle-CFS
- Lisa Yeo-Info Svcs

IES Project Team

(As of September 29, 1999 – Still in the process of being finalized)

| Name | Title | Phone # |
|------------------------|-----------------------------|----------|
| Main Phone | | 988-4010 |
| FAX | | 988-4005 |
| Anderson, Mark | D&T-Time Management | |
| Bartasavich, Larry | Training/Change | |
| Bartley, Todd | Time Mgmt Analyst | |
| Buck, Berdine | D&T – Finance Lead | |
| Byron, Amanda | Training Developer | |
| Casazza, Eric | D&T – Proj.Sys.Analyst | |
| Ching, Janet | D&T – Contolling Consultant | |
| Clinton, Ken | Developer | |
| Co, Dzung | Developer | |
| Cobb, Becky | Org.Mgmt Analyst- P/T | |
| Devlaeminck, Joe | Developer | |
| Dubesa, Mike | Purchasing Analyst | |
| Duncan, Lance | Project Systems | |
| Field, Jennifer | D&T – Sys Admin/BASIS | |
| Harryman, Laura | FM – Budget | |
| Herschberg, Richard | D&T – Benefits Consultant | |
| Hicks, Doug | Developer | |
| Hill, Denise | D&T – Comp/Org Mgmt | |
| Hough, Marge | Tech/Develop Lead | |
| Huang, Tracy | D&T – HR/Payroll | |
| Hudson, Karen | Payroll | |
| Hughes, Diane | Time Mgmt Analyst | |
| Kahn, Suzanne | Benefits Analyst – P/T | |
| Karecki, Jean | A/R Analyst | |
| Lee, Bing | D&T – MM Lead | |
| Leidy, Bill | Controlling Analyst | |
| Long, Faith | Project Manager | 988-4004 |
| Meinardus, Paul | D&T – FM Budget | |
| Morimitsu, Trink | Training/Change – P/T | |
| Murray, Cilla | Purchasing Analyst | |
| Nath, Satish | Payroll Lead | |
| Rabjohn, Geoff | D&T – HR/Payroll | |
| Ramsey, Terry | Programmer HR/Payroll | |
| Rudd, Terry | Programmer/Finance | |
| Sawhney, Ruby | Security | |
| Schnabel, Kristy | Finance Lead – GL | |
| Seidenfeld, Mark | D&T - Project Manager | 988-4003 |
| Seiler, Barb | Time Mgmt Analyst | |
| Shuttleworth, Michelle | D&T – HR/Payroll Lead | |
| Smith, Dianne | A/R Billing | |
| Steward, Becky | Benefits Analyst | |
| Sullens, Ann | D&T – FM Budget | |
| Tumbaga, Joy | A/P Analyst | |
| Venkatraman, Rangan | D&T – ABAP Lead | |
| Warren, Dave | FM – Budget | |
| Whynot, Anita | Developer | |
| Wilkins, Libby | D&T – Training – P/T | |
| Wilton, Nancy | Comp. Mgmt Analyst | |
| Wrathall, Leila | HR – Lead | |
| Young, Paula | Admin. Assistant | 988-4006 |

Expected Development Cost Summary Integrated Enterprise System

| | |
|-------------------------------------|----------------|
| External Cost - D&T, SAP, SUN | \$6,935,497 |
| Site Related Costs | 270,905 |
| Training - Project Team & End Users | 592,541 |
| General Project Costs | 679,050 |
| Technical Costs | <u>519,396</u> |
| Total Project Cost Estimate | \$8,997,389 |

Major Assumptions:

Implement current scope on July 1, 1999

Minimal conversion of data

Timely decision making by policy makers

Training of end users by Core and Extended team members

Reduced programming from ISD at current billing budget for departments

Use of County training rooms for end user training

Departments pay core and extended team costs unless specifically identified

PC's purchased with flat fee savings-remanded to departments @ end

Integrated Enterprise System
Budget Development

PREPARED BY

| OBJECT DETAIL | Summary LGFS Codes | AGENCY 070 Summary | | | | |
|--|-----------------------|-----------------------|----------------|----------------|----------------|----------------|
| | | External HW/SW/Imp | Site Relted | Training | General | Technical |
| | Total | | | | | |
| 5100 PERMANENT | 292,845 | 0 | 0 | 0 | 109,242 | 183,603 |
| 5200 TEMPORARY | 15,000 | 0 | 15,000 | 0 | 0 | 0 |
| 5300 OVERTIME | 144,000 | 0 | 0 | 0 | 5,000 | 139,000 |
| 5400 PREMIUM PAY | 20,000 | 0 | 0 | 0 | 20,000 | 0 |
| 5500 FRINGE | 111,493 | 0 | 1,240 | 0 | 31,933 | 78,320 |
| DIRECT PERSONAL SERVICES | 583,338 | 0 | 16,240 | 0 | 166,175 | 400,923 |
| 5550 INS BENEFITS | 27,514 | 0 | 416 | 0 | 8,625 | 18,473 |
| TOTAL PERSONAL SERVICES | 610,852 | 0 | 16,656 | 0 | 174,800 | 419,396 |
| 6050 COUNTY SUPPLEMENTS | 0 | 0 | 0 | 0 | 0 | 0 |
| 6060 PASS THROUGH PAYMENTS | 0 | 0 | 0 | 0 | 0 | 0 |
| 6110 PROFESSIONAL SERVICES | 5,265,000 | 4,537,000 | 15,000 | 223,000 | 390,000 | 100,000 |
| 6120 PRINTING | 46,500 | 0 | 0 | 26,500 | 20,000 | 0 |
| 6130 UTILITIES | 0 | 0 | 0 | 0 | 0 | 0 |
| 6140 COMMUNICATIONS | 52,500 | 0 | 52,500 | 0 | 0 | 0 |
| 6170 RENTALS | 20,000 | 0 | 0 | 20,000 | 0 | 0 |
| 6180 REPAIRS & MAINTENANCE | 0 | 0 | 0 | 0 | 0 | 0 |
| 6190 MAINTENANCE CONTRACTS | 0 | 0 | 0 | 0 | 0 | 0 |
| 6200 POSTAGE | 0 | 0 | 0 | 0 | 0 | 0 |
| 6230 SUPPLIES | 143,189 | 0 | 53,069 | 42,620 | 47,500 | 0 |
| 6270 FOOD | 0 | 0 | 0 | 0 | 0 | 0 |
| 6310 EDUCATION & TRAINING | 9,600 | 0 | 0 | 9,600 | 0 | 0 |
| 6330 LOCAL TRAVEL & MILEAGE | 5,500 | 0 | 0 | 0 | 5,500 | 0 |
| 6520 INSURANCE | 0 | 0 | 0 | 0 | 0 | 0 |
| 6530 EXTERNAL D.P. | 232,667 | 200,589 | 32,078 | 0 | 0 | 0 |
| 6550 DRUGS | 0 | 0 | 0 | 0 | 0 | 0 |
| 6580 CLAIMS PAID/JUDGEMENTS | 0 | 0 | 0 | 0 | 0 | 0 |
| 6610 AWARDS & PREMIUMS | 0 | 0 | 0 | 0 | 0 | 0 |
| 6620 DUES & SUBSCRIPTIONS | 0 | 0 | 0 | 0 | 0 | 0 |
| 6700 LIBRARY BOOKS & MATERIALS | 0 | 0 | 0 | 0 | 0 | 0 |
| 7810 PRINCIPAL | 0 | 0 | 0 | 0 | 0 | 0 |
| 7820 INTEREST | 0 | 0 | 0 | 0 | 0 | 0 |
| DIRECT MATERIALS AND SERVICES | 5,774,956 | 4,737,589 | 152,647 | 321,720 | 463,000 | 100,000 |
| 7100 INDIRECT COSTS | 0 | 0 | 0 | 0 | 0 | 0 |
| 7150 TELEPHONE | 41,250 | 0 | 0 | 0 | 41,250 | 0 |
| 7200 DATA PROCESSING | 0 | 0 | 0 | 0 | 0 | 0 |
| 7250 FLAT FEE SVC REIMBURSE | 0 | 0 | 0 | 0 | 0 | 0 |
| 7300 MOTOR POOL | 0 | 0 | 0 | 0 | 0 | 0 |
| 7400 BUILDING MANAGEMENT | 56,410 | 10,000 | 46,410 | 0 | 0 | 0 |
| 7500 OTHER INTERNAL SERVICES | 0 | 0 | 0 | 0 | 0 | 0 |
| 7550 LEASE PAYMENTS TO C.L.R.F. | 0 | 0 | 0 | 0 | 0 | 0 |
| 7560 MAIL/DISTRIBUTION | 0 | 0 | 0 | 0 | 0 | 0 |
| INTERNAL SERVICE REIMBURSEMENTS | 97,660 | 10,000 | 46,410 | 0 | 41,250 | 0 |
| TOTAL MATERIALS AND SERVICES | 5,872,616 | 4,747,589 | 199,057 | 321,720 | 504,250 | 100,000 |
| 8100 LAND | 0 | 0 | 0 | 0 | 0 | 0 |
| 8200 BUILDINGS | 0 | 0 | 0 | 0 | 0 | 0 |
| 8300 OTHER IMPROVEMENTS | 32,000 | 0 | 32,000 | 0 | 0 | 0 |
| 8400 EQUIPMENT | 2,481,921 | 2,187,908 | 23,192 | 270,821 | 0 | 0 |
| TOTAL CAPITAL OUTLAY | 2,513,921 | 2,187,908 | 55,192 | 270,821 | 0 | 0 |
| TOTAL DIRECT BUDGET | 8,872,215 | 6,925,497 | 224,079 | 592,541 | 629,175 | 500,923 |
| TOTAL EXPENDITURES | 8,997,389 | 6,935,497 | 270,905 | 592,541 | 679,050 | 519,396 |

**Integrated Enterprise System
Budget Development**

PREPARED BY

| External Cost LGFS Codes | AGENCY 070 | External Cost | | | | | Total |
|---------------------------------|---------------|-------------------------|-----------|------------------------|-----------------------|----------|---------|
| | | Application Software | Implement | Vendor Travel | System Support/Mtn | Hardware | |
| OBJECT DETAIL | | | | | | | |
| 5100 PERMANENT | | | | | | | 0 |
| 5200 TEMPORARY | | | | | | | 0 |
| 5300 OVERTIME | | | | | | | 0 |
| 5400 PREMIUM PAY | | | | | | | 0 |
| 5500 FRINGE | | | | | | | 0 |
| DIRECT PERSONAL SERVICES | | | | | | | 0 |
| 5550 INS BENEFITS | | | 0 | 0 | 0 | 0 | 0 |
| TOTAL PERSONAL SERVICES | | | 0 | 0 | 0 | 0 | 0 |
| 6050 COUNTY SUPPLEMENTS | | | | | | | 0 |
| 6080 PASS THROUGH PAYMENTS | | | | | | | 0 |
| 6110 PROFESSIONAL SERVICES | 4,537,000 | | 4,131,000 | 408,000 | | | |
| 6120 PRINTING | | | | | | | 0 |
| 6130 UTILITIES | | | | | | | 0 |
| 6140 COMMUNICATIONS | | | | | | | 0 |
| 6170 RENTALS | | | | | | | 0 |
| 6180 REPAIRS & MAINTENANCE | | | | | | | 0 |
| 6190 MAINTENANCE CONTRACTS | | | | | | | 0 |
| 6200 POSTAGE | | | | | | | 0 |
| 6230 SUPPLIES | | | | | | | 0 |
| 6270 FOOD | | | | | | | 0 |
| 6310 EDUCATION & TRAINING | | | | | | | 0 |
| 6330 LOCAL TRAVEL & MILEAGE | | | | | | | 0 |
| 6520 INSURANCE | | | | | | | 0 |
| 6530 EXTERNAL D.P. | 200,589 | | | | 164,039 | 36,550 | |
| 6550 DRUGS | | | | | | | 0 |
| 6580 CLAIMS PAID/JUDGEMENTS | | | | | | | 0 |
| 6610 AWARDS & PREMIUMS | | | | | | | 0 |
| 6620 DUES & SUBSCRIPTIONS | | | | | | | 0 |
| 6700 LIBRARY BOOKS & MATERIALS | | | | | | | 0 |
| 7810 PRINCIPAL | | | | | | | 0 |
| 7820 INTEREST | | | | | | | 0 |
| DIRECT MATERIALS AND SERVICES | 4,737,589 | | 0 | 4,131,000 | 408,000 | 164,039 | 38,550 |
| 7100 INDIRECT COSTS | | | | | | | 0 |
| 7150 TELEPHONE | | | | | | | 0 |
| 7200 DATA PROCESSING | | | | | | | 0 |
| 7250 FLAT FEE SVC REIMBURSE | | | | | | | 0 |
| 7300 MOTOR POOL | | | | | | | 0 |
| 7400 BUILDING MANAGEMENT | 10,000 | | | | | | 10,000 |
| 7500 OTHER INTERNAL SERVICES | | | | | | | 0 |
| 7550 LEASE PAYMENTS TO C.L.R.F. | | | | | | | 0 |
| 7580 MAIL/DISTRIBUTION | | | | | | | 0 |
| INTERNAL SERVICE REIMBURSEMENTS | 10,000 | | 0 | 0 | 0 | 0 | 10,000 |
| TOTAL MATERIALS AND SERVICES | 4,747,589 | | 0 | 4,131,000 | 408,000 | 164,039 | 48,550 |
| 8100 LAND | | | | | | | 0 |
| 8200 BUILDINGS | | | | | | | 0 |
| 8300 OTHER IMPROVEMENTS | | | | | | | 0 |
| 8400 EQUIPMENT | 2,187,908 | 1,748,900 | | | | | 439,008 |
| TOTAL CAPITAL OUTLAY | 2,187,908 | 1,748,900 | 0 | 0 | 0 | 0 | 439,008 |
| TOTAL DIRECT BUDGET | 6,925,497 | 1,748,900 | 4,131,000 | 408,000 | 164,039 | 475,558 | 0 |
| TOTAL EXPENDITURES | 6,935,497 | 1,748,900 | 4,131,000 | 408,000 | 164,039 | 485,558 | 0 |
| On line software svc | 1500 | | | SUN installation | | 26550 | |
| SAP mtn | 162539 | | | est SUN silver service | | 10000 | |
| facilities wiring for SL | 10000 | | | | | 36550 | |

**Integrated Enterprise System
Budget Development**

PREPARED BY

| OBJECT DETAIL | Total | AGENCY 070 | | | | | |
|--|----------------|----------------------------|---------------------------------------|---------------------------|---------------------------|-------------------------------------|----------------------|
| | | Site Related Space Rent | Site Related Tenant Improvement | Site Related LAN/Phone | Site Related Furniture | Site Related Servers Printers | Site Related PC.s |
| 5100 PERMANENT | 0 | | | | | | |
| 5200 TEMPORARY | 15,000 | | | 15,000 | | | |
| 5300 OVERTIME | 0 | | | | | | |
| 5400 PREMIUM PAY | 0 | | | | | | |
| 5500 FRINGE | 1,240 | | | 1,240 | | | |
| DIRECT PERSONAL SERVICES | 16,240 | 0 | 0 | 16,240 | 0 | 0 | 0 |
| 5550 INS BENEFITS | 418 | | | 418 | | | |
| TOTAL PERSONAL SERVICES | 16,658 | 0 | 0 | 16,658 | 0 | 0 | 0 |
| 6050 COUNTY SUPPLEMENTS | 0 | | | | | | |
| 6060 PASS THROUGH PAYMENTS | 0 | | | | | | |
| 6110 PROFESSIONAL SERVICES | 15,000 | | | 10,000 | | 5,000 | |
| 6120 PRINTING | 0 | | | | | | |
| 6130 UTILITIES | 0 | | | | | | |
| 6140 COMMUNICATIONS | 52,500 | | | 52,500 | | | |
| 6170 RENTALS | 0 | | | | | | |
| 6160 REPAIRS & MAINTENANCE | 0 | | | | | | |
| 6190 MAINTENANCE CONTRACTS | 0 | | | | | | |
| 6200 POSTAGE | 0 | | | | | | |
| 6230 SUPPLIES | 53,089 | | | 1,500 | 27,500 | 24,089 | 0 |
| 6270 FOOD | 0 | | | | | | |
| 6310 EDUCATION & TRAINING | 0 | | | | | | |
| 6330 LOCAL TRAVEL & MILEAGE | 0 | | | | | | |
| 6520 INSURANCE | 0 | | | | | | |
| 6530 EXTERNAL D.P. | 32,078 | | | | | | 32,078 |
| 6550 DRUGS | 0 | | | | | | |
| 6580 CLAIMS PAID/JUDGEMENTS | 0 | | | | | | |
| 6610 AWARDS & PREMIUMS | 0 | | | | | | |
| 6620 DUES & SUBSCRIPTIONS | 0 | | | | | | |
| 6700 LIBRARY BOOKS & MATERIALS | 0 | | | | | | |
| 7810 PRINCIPAL | 0 | | | | | | |
| 7820 INTEREST | 0 | | | | | | |
| DIRECT MATERIALS AND SERVICES | 152,847 | 0 | 0 | 64,000 | 27,500 | 28,089 | 32,078 |
| 7100 INDIRECT COSTS | 0 | | | | | | |
| 7150 TELEPHONE | 0 | | | | | | |
| 7200 DATA PROCESSING | 0 | | | | | | |
| 7250 FLAT FEE SVC REIMBURSE | 0 | | | | | | |
| 7300 MOTOR POOL | 0 | | | | | | |
| 7400 BUILDING MANAGEMENT | 46,410 | 46,410 | | | | | |
| 7500 OTHER INTERNAL SERVICES | 0 | | | | | | |
| 7550 LEASE PAYMENTS TO C.L.R.F. | 0 | | | | | | |
| 7560 MAIL/DISTRIBUTION | 0 | | | | | | |
| INTERNAL SERVICE REIMBURSEMENTS | 46,410 | 46,410 | 0 | 0 | 0 | 0 | 0 |
| TOTAL MATERIALS AND SERVICES | 199,057 | 46,410 | 0 | 64,000 | 27,500 | 28,089 | 32,078 |
| 8100 LAND | 0 | | | | | | |
| 8200 BUILDINGS | 0 | | | | | | |
| 8300 OTHER IMPROVEMENTS | 32,000 | | 32,000 | | | | |
| 8400 EQUIPMENT | 23,192 | | | | | 23,192 | |
| TOTAL CAPITAL OUTLAY | 55,192 | 0 | 32,000 | 0 | 0 | 23,192 | 0 |
| TOTAL DIRECT BUDGET | 224,079 | 0 | 32,000 | 80,240 | 27,500 | 52,281 | 32,078 |
| TOTAL EXPENDITURES | 270,905 | 46,410 | 32,000 | 80,658 | 27,500 | 52,261 | 32,078 |

Notes: Number of personnel at Site: (Input) **55**

Space: 8500X\$7.14 46410
Leasehold @ \$4' 26000
(includes install and move in)

LAN/Phone = \$350 each for 150 drops + equip
fax=1500
PC= \$1492 each-covered
Printers: 4@3971 each = 5 @ 1637
Furniture: assume 500/person with use of old furniture
Server Equip=17192+6000 for hubs

**Integrated Enterprise System
Budget Development**

PREPARED BY

| OBJECT DETAIL | Total | Training | | | | | |
|---------------------------------|---------|---------------|---------------------------|-----------------------|-------------------------|--------------------|-------------------------|
| | | AGENCY 070 | User Training Devel | Planning Workshops | Tech Proj Team Train | OnDemand InfoDB | End User Training |
| 5100 PERMANENT | 0 | | | | | | |
| 5200 TEMPORARY | 0 | | | | | | |
| 5300 OVERTIME | 0 | | | | | | |
| 5400 PREMIUM PAY | 0 | | | | | | |
| 5500 FRINGE | 0 | | | | | | |
| DIRECT PERSONAL SERVICES | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 5550 INS BENEFITS | 0 | | | | | | |
| TOTAL PERSONAL SERVICES | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 6050 COUNTY SUPPLEMENTS | 0 | | | | | | |
| 6060 PASS THROUGH PAYMENTS | 0 | | | | | | |
| 6110 PROFESSIONAL SERVICES | 223,000 | 160,000 | | 63,000 | | | |
| 6120 PRINTING | 26,500 | | | | | 26,500 | |
| 6130 UTILITIES | 0 | | | | | | |
| 6140 COMMUNICATIONS | 0 | | | | | | |
| 6170 RENTALS | 20,000 | | | | | 20,000 | |
| 6180 REPAIRS & MAINTENANCE | 0 | | | | | | |
| 6190 MAINTENANCE CONTRACTS | 0 | | | | | | |
| 6200 POSTAGE | 0 | | | | | | |
| 6230 SUPPLIES | 42,620 | 22,500 | 14,720 | | | 5,400 | |
| 6270 FOOD | 0 | | | | | | |
| 6310 EDUCATION & TRAINING | 9,800 | | | 9,800 | | | |
| 6330 LOCAL TRAVEL & MILEAGE | 0 | | | | | | |
| 6520 INSURANCE | 0 | | | | | | |
| 6530 EXTERNAL D.P. | 0 | | | | | | |
| 6550 DRUGS | 0 | | | | | | |
| 6560 CLAIMS PAID/JUDGEMENTS | 0 | | | | | | |
| 6610 AWARDS & PREMIUMS | 0 | | | | | | |
| 6620 DUES & SUBSCRIPTIONS | 0 | | | | | | |
| 6700 LIBRARY BOOKS & MATERIALS | 0 | | | | | | |
| 7810 PRINCIPAL | 0 | | | | | | |
| 7820 INTEREST | 0 | | | | | | |
| DIRECT MATERIALS AND SERVICES | 321,720 | 182,500 | 14,720 | 72,600 | 0 | 51,900 | 0 |
| 7100 INDIRECT COSTS | 0 | | | | | | |
| 7150 TELEPHONE | 0 | | | | | | |
| 7200 DATA PROCESSING | 0 | | | | | | |
| 7250 FLAT FEE SVC REIMBURSE | 0 | | | | | | |
| 7300 MOTOR POOL | 0 | | | | | | |
| 7400 BUILDING MANAGEMENT | 0 | | | | | | |
| 7500 OTHER INTERNAL SERVICES | 0 | | | | | | |
| 7550 LEASE PAYMENTS TO C.L.R.F. | 0 | | | | | | |
| 7580 MAIL/DISTRIBUTION | 0 | | | | | | |
| INTERNAL SERVICE REIMBURSEMENTS | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| TOTAL MATERIALS AND SERVICES | 321,720 | 182,500 | 14,720 | 72,600 | 0 | 51,900 | 0 |
| 8100 LAND | 0 | | | | | | |
| 8200 BUILDINGS | 0 | | | | | | |
| 8300 OTHER IMPROVEMENTS | 0 | | | | | | |
| 8400 EQUIPMENT | 270,821 | | | | 270,821 | | |
| TOTAL CAPITAL OUTLAY | 270,821 | 0 | 0 | 0 | 270,821 | 0 | 0 |
| TOTAL DIRECT BUDGET | 592,541 | 182,500 | 14,720 | 72,600 | 270,821 | 51,900 | 0 |
| TOTAL EXPENDITURES | 592,541 | 182,500 | 14,720 | 72,600 | 270,821 | 51,900 | 0 |

Notes: County trainers plus contract developers

| | \$ | Offsite Days | | |
|---------------------------------|-------|-----------------|-----------|--------|
| Sun training | 7000 | 15 | Info DB | 218657 |
| Oracle training | 11000 | 25 | On Demand | 54184 |
| Technical Team Training Expense | 45000 | | | 270821 |
| | 63000 | 40 | | |

Assumes end user training is delivered by County core and extended team members
PC's for training room 15 at 1500

**Integrated Enterprise System
Budget Development**

PREPARED BY

| OBJECT DETAIL | General LGFS Codes | AGENCY 070 | | | | Total |
|--|-----------------------|----------------|----------------|-----------------------|--------------------|-------|
| | | Contingency | Operation | Professional Services | Project Management | |
| 5100 PERMANENT | 109,242 | | | | 109,242 | |
| 5200 TEMPORARY | 0 | | | | | |
| 5300 OVERTIME | 5,000 | | | 5,000 | | |
| 5400 PREMIUM PAY | 20,000 | | | 20,000 | | |
| 5500 FRINGE | 31,933 | | | 31,933 | | |
| DIRECT PERSONAL SERVICES | 168,175 | 0 | 0 | 0 | 168,175 | |
| 5550 INS BENEFITS | 8,625 | | | 8,625 | | |
| TOTAL PERSONAL SERVICES | 174,800 | 0 | 0 | 0 | 174,800 | |
| 6050 COUNTY SUPPLEMENTS | 0 | | | | | |
| 6060 PASS THROUGH PAYMENTS | 0 | | | | | |
| 6110 PROFESSIONAL SERVICES | 390,000 | 300,000 | | 90,000 | | |
| 6120 PRINTING | 20,000 | | 20,000 | | | |
| 6130 UTILITIES | 0 | | | | | |
| 6140 COMMUNICATIONS | 0 | | | | | |
| 6170 RENTALS | 0 | | | | | |
| 6180 REPAIRS & MAINTENANCE | 0 | | | | | |
| 6190 MAINTENANCE CONTRACTS | 0 | | | | | |
| 6200 POSTAGE | 0 | | | | | |
| 6230 SUPPLIES | 47,500 | | 47,500 | | | |
| 6270 FOOD | 0 | | | | | |
| 6310 EDUCATION & TRAINING | 0 | | | | | |
| 6330 LOCAL TRAVEL & MILEAGE | 5,500 | | 5,500 | | | |
| 6520 INSURANCE | 0 | | | | | |
| 6530 EXTERNAL D.P. | 0 | | | | | |
| 6550 DRUGS | 0 | | | | | |
| 6580 CLAIMS PAID/JUDGEMENTS | 0 | | | | | |
| 6610 AWARDS & PREMIUMS | 0 | | | | | |
| 6820 DUES & SUBSCRIPTIONS | 0 | | | | | |
| 6700 LIBRARY BOOKS & MATERIALS | 0 | | | | | |
| 7810 PRINCIPAL | 0 | | | | | |
| 7820 INTEREST | 0 | | | | | |
| DIRECT MATERIALS AND SERVICES | 463,000 | 300,000 | 73,000 | 90,000 | 0 | |
| 7100 INDIRECT COSTS | 0 | | | | | |
| 7150 TELEPHONE | 41,250 | | 41,250 | | | |
| 7200 DATA PROCESSING | 0 | | | | | |
| 7250 FLAT FEE SVC REIMBURSE | 0 | | | | | |
| 7300 MOTOR POOL | 0 | | | | | |
| 7400 BUILDING MANAGEMENT | 0 | | | | | |
| 7500 OTHER INTERNAL SERVICES | 0 | | | | | |
| 7550 LEASE PAYMENTS TO C.L.R.F. | 0 | | | | | |
| 7560 MAIL/DISTRIBUTION | 0 | | | | | |
| INTERNAL SERVICE REIMBURSEMENTS | 41,250 | 0 | 41,250 | 0 | 0 | |
| TOTAL MATERIALS AND SERVICES | 504,250 | 300,000 | 114,250 | 90,000 | 0 | |
| 8100 LAND | 0 | | | | | |
| 8200 BUILDINGS | 0 | | | | | |
| 8300 OTHER IMPROVEMENTS | 0 | | | | | |
| 8400 EQUIPMENT | 0 | | | | | |
| TOTAL CAPITAL OUTLAY | 0 | 0 | 0 | 0 | 0 | |
| TOTAL DIRECT BUDGET | 629,175 | 300,000 | 73,000 | 90,000 | 166,175 | |
| TOTAL EXPENDITURES | 678,050 | 300,000 | 114,250 | 90,000 | 174,800 | |

Notes: Number of personnel at Site: (See Site) 55
 Contingency (in 6110) = 300,000
 Office Supplies @ 500 per
 Local trans @ 100 per
 Telephone @ 750 per
 Refreshments for meetings = 20k
 Misc Prof Svc = 90k

**Integrated Enterprise System
Budget Development**

PREPARED BY

| OBJECT DETAIL | AGENCY 070 | Technical | | | | |
|--|----------------|-------------------|------------------------|----------------------------|----------|----------|
| | | Other Sys Minc | IES Team Added Cost | IES Tech Infrastructure | | |
| | | | | | | |
| | Total | | | | | |
| 5100 PERMANENT | 183,803 | | | 183,803 | | |
| 5200 TEMPORARY | 0 | | | | | |
| 5300 OVERTIME | 139,000 | | 121,000 | 18,000 | | |
| 5400 PREMIUM PAY | 0 | | | | | |
| 5500 FRINGE | 78,320 | | 27,500 | 50,820 | | |
| DIRECT PERSONAL SERVICES | 400,923 | 0 | 148,500 | 252,423 | 0 | 0 |
| 5550 INS BENEFITS | 18,473 | | 848 | 17,625 | | |
| TOTAL PERSONAL SERVICES | 419,396 | 0 | 149,348 | 270,048 | 0 | 0 |
| 6050 COUNTY SUPPLEMENTS | 0 | | | | | |
| 6060 PASS THROUGH PAYMENTS | 0 | | | | | |
| 6110 PROFESSIONAL SERVICES | 100,000 | 100,000 | | | | |
| 6120 PRINTING | 0 | | | | | |
| 6130 UTILITIES | 0 | | | | | |
| 6140 COMMUNICATIONS | 0 | | | | | |
| 6170 RENTALS | 0 | | | | | |
| 6180 REPAIRS & MAINTENANCE | 0 | | | | | |
| 6190 MAINTENANCE CONTRACTS | 0 | | | | | |
| 6200 POSTAGE | 0 | | | | | |
| 6230 SUPPLIES | 0 | | | | | |
| 6270 FOOD | 0 | | | | | |
| 6310 EDUCATION & TRAINING | 0 | | | | | |
| 6330 LOCAL TRAVEL & MILEAGE | 0 | | | | | |
| 6520 INSURANCE | 0 | | | | | |
| 6530 EXTERNAL D.P. | 0 | | | | | |
| 6550 DRUGS | 0 | | | | | |
| 6580 CLAIMS PAID/JUDGEMENTS | 0 | | | | | |
| 6610 AWARDS & PREMIUMS | 0 | | | | | |
| 6620 DUES & SUBSCRIPTIONS | 0 | | | | | |
| 6700 LIBRARY BOOKS & MATERIALS | 0 | | | | | |
| 7810 PRINCIPAL | 0 | | | | | |
| 7820 INTEREST | 0 | | | | | |
| DIRECT MATERIALS AND SERVICES | 100,000 | 100,000 | 0 | 0 | 0 | 0 |
| 7100 INDIRECT COSTS | 0 | | | | | |
| 7150 TELEPHONE | 0 | | | | | |
| 7200 DATA PROCESSING | 0 | | | | | |
| 7250 FLAT FEE SVC REIMBURSE | 0 | | | | | |
| 7300 MOTOR POOL | 0 | | | | | |
| 7400 BUILDING MANAGEMENT | 0 | | | | | |
| 7500 OTHER INTERNAL SERVICES | 0 | | | | | |
| 7550 LEASE PAYMENTS TO C.L.R.F. | 0 | | | | | |
| 7580 MAIL/DISTRIBUTION | 0 | | | | | |
| INTERNAL SERVICE REIMBURSEMENTS | 0 | 0 | 0 | 0 | 0 | 0 |
| TOTAL MATERIALS AND SERVICES | 100,000 | 100,000 | 0 | 0 | 0 | 0 |
| 8100 LAND | 0 | | | | | |
| 8200 BUILDINGS | 0 | | | | | |
| 8300 OTHER IMPROVEMENTS | 0 | | | | | |
| 8400 EQUIPMENT | 0 | | | | | |
| TOTAL CAPITAL OUTLAY | 0 | 0 | 0 | 0 | 0 | 0 |
| TOTAL DIRECT BUDGET | 500,923 | 100,000 | 148,500 | 252,423 | 0 | 0 |
| TOTAL EXPENDITURES | 519,396 | 100,000 | 149,348 | 270,048 | 0 | 0 |
| system infrastructure: | r3admin | 71256 | 17982 | 8074 | | |
| | Oracle dba | 59028 | 17552 | 5844 | | |
| | security | 52719 | 15308 | 5707 | | |
| | | 183603 | 50820 | 17625 | | |

Transaction Detail

| Trans ID | Type | FY | Description | Process | Date | Category | # | Fund | Agcy | Org | Obj | Rev | Amount | # | Fund | Agcy | Org | Pos | FTE | Amount | |
|-------------|------|----|---|---------|------|----------|---|------|------|------|------|------|-----------|-----------|------|------|------|------|-------|--------|--------|
| 00BM_DSS_02 | BM | 0 | Allocates \$9,000,000 of COP revenue to budgets for the implementation of the IES. Because it increases revenue by \$1 million, it is also a SUPPLEMENTAL BUDGET. | No | | | 1 | 235 | 070 | 7123 | 8400 | | 1,748,900 | 1 | 235 | 070 | 7112 | 9657 | 1.000 | 80,000 | |
| | | | | | | | | 2 | 235 | 070 | 7122 | 6110 | | 4,131,000 | 2 | 235 | 070 | 7112 | 6002 | 1.000 | 29,242 |
| | | | | | | | | 3 | 235 | 070 | 7122 | 6110 | | 406,000 | 3 | 235 | 070 | 7113 | 9457 | 1.000 | 71,256 |
| | | | | | | | | 4 | 235 | 070 | 7123 | 6530 | | 164,039 | 4 | 235 | 070 | 7113 | 6197 | 1.000 | 59,628 |
| | | | | | | | | 5 | 235 | 070 | 7121 | 6530 | | 36,550 | 5 | 235 | 070 | 7113 | 6187 | 1.000 | 52,719 |
| | | | | | | | | 6 | 235 | 070 | 7121 | 7400 | | 10,000 | | | | | | | |
| | | | | | | | | 7 | 235 | 070 | 7121 | 8400 | | 439,008 | | | | | | | |
| | | | | | | | | 8 | 235 | 070 | 7111 | 5200 | | 15,000 | | | | | | | |
| | | | | | | | | 9 | 235 | 070 | 7111 | 5500 | | 1,240 | | | | | | | |
| | | | | | | | | 10 | 235 | 070 | 7111 | 5550 | | 416 | | | | | | | |
| | | | | | | | | 11 | 235 | 070 | 7111 | 6110 | | 15,000 | | | | | | | |
| | | | | | | | | 12 | 235 | 070 | 7111 | 6140 | | 52,500 | | | | | | | |
| | | | | | | | | 13 | 235 | 070 | 7111 | 6230 | | 53,069 | | | | | | | |
| | | | | | | | | 14 | 235 | 070 | 7111 | 6530 | | 32,078 | | | | | | | |
| | | | | | | | | 15 | 235 | 070 | 7111 | 7400 | | 46,410 | | | | | | | |
| | | | | | | | | 16 | 235 | 070 | 7111 | 8300 | | 32,000 | | | | | | | |
| | | | | | | | | 17 | 235 | 070 | 7111 | 8400 | | 23,192 | | | | | | | |
| | | | | | | | | 18 | 235 | 070 | 7132 | 6110 | | 160,000 | | | | | | | |
| | | | | | | | | 19 | 235 | 070 | 7132 | 6230 | | 22,500 | | | | | | | |
| | | | | | | | | 20 | 235 | 070 | 7134 | 6230 | | 14,720 | | | | | | | |
| | | | | | | | | 21 | 235 | 070 | 7131 | 6110 | | 63,000 | | | | | | | |
| | | | | | | | | 22 | 235 | 070 | 7131 | 6310 | | 9,600 | | | | | | | |
| | | | | | | | | 23 | 235 | 070 | 7132 | 8400 | | 270,821 | | | | | | | |
| | | | | | | | | 24 | 235 | 070 | 7133 | 6120 | | 26,500 | | | | | | | |
| | | | | | | | | 25 | 235 | 070 | 7133 | 6170 | | 20,000 | | | | | | | |
| | | | | | | | | 26 | 235 | 070 | 7133 | 6230 | | 5,400 | | | | | | | |
| | | | | | | | | 27 | 235 | 070 | 7112 | 5100 | | 109,242 | | | | | | | |
| | | | | | | | | 28 | 235 | 070 | 7112 | 5300 | | 5,000 | | | | | | | |
| | | | | | | | | 29 | 235 | 070 | 7112 | 5400 | | 20,000 | | | | | | | |
| | | | | | | | | 30 | 235 | 070 | 7112 | 5500 | | 31,933 | | | | | | | |
| | | | | | | | | 31 | 235 | 070 | 7112 | 5550 | | 8,625 | | | | | | | |
| | | | | | | | | 32 | 235 | 070 | 7112 | 6110 | | 390,000 | | | | | | | |
| | | | | | | | | 33 | 235 | 070 | 7112 | 6120 | | 20,000 | | | | | | | |
| | | | | | | | | 34 | 235 | 070 | 7112 | 6230 | | 47,500 | | | | | | | |
| | | | | | | | | 35 | 235 | 070 | 7112 | 6330 | | 5,500 | | | | | | | |
| | | | | | | | | 36 | 235 | 070 | 7112 | 7150 | | 41,250 | | | | | | | |
| | | | | | | | | 37 | 235 | 070 | 7113 | 5100 | | 183,603 | | | | | | | |
| | | | | | | | | 38 | 235 | 070 | 7113 | 5300 | | 139,000 | | | | | | | |
| | | | | | | | | 39 | 235 | 070 | 7113 | 5500 | | 78,320 | | | | | | | |
| | | | | | | | | 40 | 235 | 070 | 7113 | 5550 | | 18,473 | | | | | | | |

Transaction Detail

| Trans ID | Type | FY | Description | Process | Date | Category | # | Fund | Agcy | Org | Obj | Rev | Amount | # | Fund | Agcy | Org | Pos | FTE | Amount |
|----------|------|----|-------------|---------|------|----------|----|------|------|------|------|------|------------|---|------|------|-----|-----|-----|--------|
| | | | | | | | 41 | 235 | 070 | 7004 | 8400 | | -8,000,000 | | | | | | | |
| | | | | | | | 42 | 235 | 070 | 7004 | | 7740 | -8,000,000 | | | | | | | |
| | | | | | | | 43 | 235 | 070 | 7199 | | 7740 | 8,997,389 | | | | | | | |
| | | | | | | | 44 | 235 | 070 | 7113 | 6110 | | 100,000 | | | | | | | |
| | | | | | | | 45 | 400 | 070 | 7531 | | 6611 | 27,514 | | | | | | | |
| | | | | | | | 46 | 402 | 070 | 7990 | | 6611 | 41,250 | | | | | | | |
| | | | | | | | 47 | 410 | 030 | 5610 | | 6611 | 56,410 | | | | | | | |
| | | | | | | | 48 | 400 | 070 | 7531 | 6580 | | 27,514 | | | | | | | |
| | | | | | | | 49 | 402 | 070 | 7990 | 6140 | | 41,250 | | | | | | | |
| | | | | | | | 50 | 410 | 030 | 5630 | 6230 | | 56,410 | | | | | | | |

MULTNOMAH COUNTY, OREGON
IES System
Estimate

| | |
|-----------------------|--------------------|
| INTEREST RATE | 4.00% |
| PRINCIPLE AMOUNT | \$9,000,000 |
| NUMBER OF YEARS | 8 |
| ANNUAL PAYMENT | \$1,336,750 |

| | | Begin | | | | Ending |
|--------|------|-------------|---------------------|--------------------|--------------------|-------------|
| | | Balance | Payment | Interest | Principal | Balance |
| Year 1 | 2000 | \$9,000,000 | \$1,336,750 | \$360,000 | \$976,750 | \$8,023,250 |
| Year | 2001 | 8,023,250 | 1,336,750 | 320,930 | 1,015,821 | 7,007,429 |
| Year | 2002 | 7,007,429 | 1,336,750 | 280,297 | 1,056,453 | 5,950,976 |
| Year | 2003 | 5,950,976 | 1,336,750 | 238,039 | 1,098,711 | 4,852,264 |
| Year | 2004 | 4,852,264 | 1,336,750 | 194,091 | 1,142,660 | 3,709,604 |
| Year | 2005 | 3,709,604 | 1,336,750 | 148,384 | 1,188,366 | 2,521,238 |
| Year | 2006 | 2,521,238 | 1,336,750 | 100,850 | 1,235,901 | 1,285,337 |
| Year | 2007 | 1,285,337 | 1,336,750 | 51,413 | 1,285,337 | 0 |
| | | | <u>\$10,694,004</u> | <u>\$1,694,004</u> | <u>\$9,000,000</u> | |

Prepared By: Finance

24-Sep-99

MEETING DATE: OCT 07 1999
AGENDA NO: B-4
ESTIMATED START TIME: 10:25

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Public Safety Levy Planning Framework

BOARD BRIEFING:

DATE REQUESTED: _____

REQUESTED BY: _____

AMOUNT OF TIME NEEDED: _____

REGULAR MEETING:

DATE REQUESTED: October 7, 1999

AMOUNT OF TIME NEEDED: 45 mins

DEPARTMENT: Non-Departmental

DIVISION: Office of the Chair

CONTACT: Carol M. Ford

TELEPHONE #: 248-3956

BLDG/ROOM #: 106/1515

PERSON(S) MAKING PRESENTATION: Dave Warren and Carol Ford

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL OTHER

SUGGESTED AGENDA TITLE:

Public Safety Levy Planning Framework:
Proposal for Overall Approach, Timing, Options for Length and Amount,
Public Involvement, Decision Making Process, Schedule

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____

(OR)

DEPARTMENT

MANAGER: _____

Peverly Klein

CLERK OF COUNTY COMMISSIONERS
99 SEP 30 AM 8:24
MULTI-COUNTY
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ 248-3277



Beverly Stein, Multnomah County Chair

Room 1515, Portland Building
1120 S.W. Fifth Avenue
Portland, Oregon 97204

Phone: (503) 248-3308
FAX: (503) 248-3093
E-Mail: mult.chair@co.multnomah.or.us

September 29, 1999

To: Board of County Commissioners

Dan Noelle
Elyse Clawson
Board Staff

c. Gina Mattioda Rhys Scholes
Carol Ford Peter Ozanne
Dan Oldham Dave Warren
Karyn Dargan Julie Neburka

From: Bill Farver *Bill*

Re: Levy in 2000 - Decision Points and Options

Beverly convened a meeting earlier this month with the Sheriff and Commissioner Naito and staff. At that meeting, those elected officials developed the following recommendations. These recommendations will be presented to you on Thursday, October 7th, by Carol Ford and Dave Warren. We welcome your thoughts.

I. When to send the Levy to the Voters? May or November, 2000

Recommendation: November, 2000

Rationale:

- a. November, 2000, allows for more extensive public discussion concerning the substance of the levy proposal and the opportunity to identify support for a campaign. Supporters are more likely to want to focus efforts on one solid campaign effort.
- b. A May election requires 50% turnout. A November election does not.
- c. School measures do not directly compete with our levy under the cap. They will probably be on the May ballot. We have not identified other probable local financial measure on the November ballot which would compete with our levy under the cap. (There are various statewide ballot measures dealing with taxes and the potential of a PCC capital bond).



- d. A second election could be held the following May, 2001 that would still allow for a July, 2001 start up. However, this would require a 50% turnout.
- e. A successful November vote will not delay the opening of the new facilities.

Final decision point: As a practical matter, we need to decide now. For ballot placement the dates are approximately January, 2000, for May, 2000 election and July, 2000, for November, 2000

II. Amount and Length of Levy?

Recommendation: Five years. Up to \$26,000,000 depending on need identified.

The County can submit a \$26,000,000 annual levy to the voters without impact the library levy through compression. Our recommendation is that the Board assume a cap of \$26,000,000 and determine what are critically needed services to submit for voter approval.

Final decision point: December, 1999 or June, 2000

III. Basic Approach - Big Picture

Recommendation: Consider which of **Two Major Options** County should choose based on evaluations of best practices, need, and public input.

OPTION A: Levy consists of:

| | |
|---|--------------|
| Operations for New 225 bed Jail at Rivergate | \$8 million |
| Operations for new 300 bed AD Center at Rivergate | \$11 million |
| TOTAL | \$19 million |

Potentially : Continuation of current Justice system facilities and programs that do not have stable ongoing funding currently up to \$8.6

Advantages:

- a. It is very simple to describe: "Authorizes the operation of the new Jail and secure A and D treatment beds at Rivergate and maintains current Jail and Corrections operations."
- b. If current programming is included on the levy, the Board can consider other areas for program expansion during its budget deliberations over the next few years by using the annual growth in property taxes and tight constraints

OPTION B: Levy consists of:

| | |
|---|--------------|
| Operations for New 225 bed Jail at Rivergate | \$8 million |
| Operations for new 300 bed AD Center at Rivergate | \$11 million |
| Expansion of Current or Beginning new Community Safety Programs | |
| up to a maximum of | \$7 million |

Here are the options I have identified to date:

A. Domestic Violence:

Chiquita Rollins and a Departmental planning group have met for several months devising expansions to the public safety and community victim programs. Potential themes:

- higher prosecution, punishment, treatment and supervision of domestic violence offenders
- increased shelter space and services for victims
- children's advocates to assist children cope with the impact of this violence on their lives
- alcohol and drug treatment

B. Early Childhood

Denise Chuckovich and a planning group working with Commissioner Naito have met for several months devising expansions to the early childhood system. Several of these approaches show strong preventative links to reducing juvenile and adult crime. They include:

- expansion of Parent Child Service Centers (possibly located in elementary schools)
- provision of treatment for victims of child abuse
- provision of home visits and wrap around services for first time moms and their children (David Olds home visit model)
- provision of services to children in crisis (Child Assessment Center; Relief Nursery and flexible fund)

C. Juvenile Alcohol and Drug Services

Elyse Clawson and the Juvenile Department will use a portion of the new state initiative funds to open a secure alcohol and drug treatment unit at the Juvenile Home and community based transition slots. The treatment gap is additional treatment resources in the community. These include additional residential, outpatient, and proctor home placements. These additions would create a continuum of service for youth with alcohol and drug problems.

D. Court based Diversion Options

Judges Haas and Robinson, District Attorney Schrunk, and many other justice players have collaborated for years on STOP - the drug diversion program that quickly and effectively gets appropriate offenders into treatment and out of the costly criminal justice system. STOP advocates would like to secure stable, and perhaps expanded funding, through inclusion on a levy.

In addition, the National Alliance for the Mentally Ill is advocating for Mental Health Court, a diversion alternative for appropriate offenders into treatment. A funding proposal would include both justice system personnel and treatment and housing alternative funds.

Finally, the District Attorney and a number of justice players have piloted a community court approach in NE Portland. This model could be expanded with additional services to other areas of the city for low level crimes.

E. School Attendance Initiative Expansions

Elyse Clawson and the Juvenile Department have successfully laid the groundwork for effective intervention in the lives of children and families whose dysfunction shows in poor school performance and behavior. Several effective skill based programs have been shown to reduce later criminality if applied at the elementary and high school levels. (The Board will have an opportunity to learn more about these in a planned January briefing) The current SAI structure would allow for the introduction of targeted skills based programs. In addition, the County could expand the well received Touchstone counseling program in elementary schools.

F. Mental Health system deficiencies

The Mental Health Task Force is examining a number of current deficiencies in the treatment system. To the extent their recommendations identify more effective interventions in the lives of families whose members are afflicted with mental illness, it may be appropriate to include them on the levy.

G. Community based alcohol and drug treatment

The Board has already identified inadequate community residential and outpatient treatment as an important complement to the county's increasing ability to intervene with treatment in the lives of offenders who are in jail or treatment centers. Operating funds for these programs would be a natural link with the secure A and D facility.

H. Technology Enhancements

As with the previous bond, this levy provides the opportunity to include one time funds for information technology enhancements related to these components. The funds could arise from the savings from late start up of the components, most notably the jail and alcohol and drug facility. The domestic violence package has already identified several hundred thousand needed improvements in the shelter system.

IV. What to call the Levy? Public Safety or Community Safety Levy

Recommendation: Depends on composition of levy

Final decision Point: Spring, 2000

V. Public Involvement

We have discussed several different methods of public participation. We don't yet have a recommendation on the appropriate mix, but all will be used to some degree.

A. Stakeholder Meetings. The Citizens Crime Commission and the Local Public Safety Coordinating Council lead the list of those who have a strong interest in and connection

with these issues. We will seek their full involvement and participation. There may be other stakeholder groups as well.

B. Public Hearings. In addition to the opportunities for public testimony that would be included in our deliberations we may want to schedule additional evening or weekend meetings. Some of these might use a workshop or small group discussion format to facilitate a more informed dialogue.

C. Focus Groups. In order to understand the perspectives of all citizens, not just the most active or vocal, we should utilize a focus group process to get input.

D. Polling. The broadest measure of public opinion can be gained with telephone research. We recommend that the County use this technique to identify what potential levy components have the broadest support. Research aimed at passing the levy should not be conducted by the county but rather by whatever independent organizations come together to support the levy.

VI. Decision Making Process

Recommendation:

October and November:

1. Conduct Emerging Issues Review Sessions with Each Department
2. Conduct Enhanced Budget review Sessions with the Public Safety Departments -
MCSO: Adult Community Justice: District

The Board will conduct an in-depth review of the public safety system. This review will be programmatic and designed to see if the public safety system is efficient and cost effective, and is a building block to the upcoming public safety levy. The result of this review should help focus the County on the needs that will be filled by the levy.

3. Levy Leadership team meets with other local government and school elected officials and potential levy supporters. Consider impact of levy on other jurisdictions and their needs. TSCC meeting to share information about pending financial measures.
Develop a Steering Committee to help develop support for a campaign.
4. Work with Citizens Crime Commission on their focus on children aged 0 to 10 and the prevention and early intervention programs they are researching.

January, February:

1. Discuss varying options for the balance of the levy, based on options listed above. The Board can explore a variety of themes and rationales, including the work of Delbert Elliott from the University of Colorado, Chair of the Center for Study and Prevention of Violence. Mr. Elliott appeared before the Citizens Crime Commission in September and described in detail "what works" in the prevention of crime. Many of the recent changes and enhancements in the community safety system are consistent with his research findings. Mr. Elliott is tentatively scheduled to meet with the Board and other stakeholders on January 25, 2000.

2. Conduct public meetings, hearings, and public opinion research regarding potential levy components.

March

1. Develop final levy package for November election.
Chair prepares Executive Budget consistent with Board levy decisions.

April

1. Chair submits Executive Budget

May - June

1. Board deliberations on Executive Budget.
2. Final Board approval of Levy Ballot Language and Financial detail.



Beverly Stein, Multnomah County Chair

Room 1515, Portland Building
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Portland, Oregon 97204

Phone: (503) 248-3308
FAX: (503) 248-3093
E-Mail: mult.chair@co.multnomah.or.us

October 7, 1999

To: Portland City Council

From: Beverly Stein, Chair 

Re: Proposed Levy

Earlier this week I forwarded to you a copy of the memo about Multnomah County's process to determine the size and composition of a possible community safety levy to submit to County voters next year. The Board of County Commissioners will need to make final decisions on the levy this spring.

Attached please find a memo from Multnomah County Budget Director, Dave Warren, offering his perspective on the concern raised by Portland Finance Director, Tim Grewe regarding the joint resolution on levy capacity. As Dave's analysis indicates, the agreement passed in the wake of Measure 5 needs to be revisited. Much has changed with the passage of Measure 50 and the impact of various funding initiatives is difficult to track.

I have talked to each of you already about the issues that are driving this levy question. The principle one is the need for operating funds for the new jail and alcohol and drug treatment center. Possible levy components will have a direct impact on the quality of services you provide to Portland residents and touch on issues around which you have considerable knowledge and passion.

Therefore, I propose that we schedule a joint meeting later this fall to discuss our joint community safety priorities and how we should coordinate funding requests to the voters in the post-Measure 50 environment. There may be other issues that we should include on that agenda.

On behalf of the Board, I look forward to the discussion.

c. County Elected Officials





MULTNOMAH COUNTY, OREGON

BOARD OF COUNTY COMMISSIONERS

BEVERLY STEIN
DIANE LINN
SERENA CRUZ
LISA NAITO
SHARRON KELLEY

BUDGET & QUALITY
PORTLAND BUILDING
1120 S.W. FIFTH - ROOM 1400
P. O. BOX 14700
PORTLAND, OR 97214
PHONE (503) 248-3883

TO: Chair Beverly Stein
Commissioner Diane Linn
Commissioner Serena Cruz
Commissioner Lisa Naito
Commissioner Sharron Kelley

COPY: Mayor Vera Katz
Commissioner Charlie Hales
Commissioner Jim Francesconi
Commissioner Erik Sten
Commissioner Dan Saltzman

FROM: Dave Warren, Budget Manager

DATE: October 6, 1999

SUBJECT: County Levy Plans and Impacts on Portland's Levy Capacity

In response to the draft memorandum proposing a local option levy in November 2000, Tim Grewe, Director of Portland's Office of Finance and Administration, has written to point out that such a levy would increase the County's property taxes beyond the 1991 agreement limiting the City and County to their share of 1991 levies. Tim Grewe's memo is attached.

Possibly you will recall that this matter was brought to the Portland City Commissioners' attention in May 1999 when I sent them copies of two analyses of the potential impact of an additional local option levy. Conceptually, those analyses still represent the clearest expression of the situation we have been able to put together. Mark Campbell explained, in one of them, why he believed that such a levy could not produce more than \$26 million of additional property tax revenue. In the second, I pointed out that a levy of that size would dramatize the way in which Measure 50 rendered the the 1991 agreement difficult to apply. I am going to quote from my own memo because I believe it is essentially correct.

"First, the two jurisdictions agreed, following the passage of Measure 5, not to encroach upon each other's share of the property taxes. Those shares were never defined precisely, but they were in the neighborhood of 38% County, 61% City, 1% all other. The primary point of the agreement was to limit Measure 5 damage.

Under Measure 5, compression was spread proportionately to the size of the levying authority. Additional taxes by Multnomah County would cause additional compression to both the County and the City. Since the City's taxes were roughly twice the County's

County Levy Plans and Impacts on Portland's Levy Capacity
October 6, 1999

taxes, any compression stood to cost the City roughly twice as much as the County. Once property values grew fast enough that neither government's taxes were compressed, the agreement became difficult to deal with objectively. Since neither government stood to lose revenue, the share of taxing capacity became a political and theoretical concern rather than a pragmatic one.

Measure 50, by changing the way compression is applied, makes the agreement both more difficult to conceptualize and of more uncertain import. Local option levies cannot cause compression to occur in any other kind of property tax. Local option levies can only create compression among each other. Voter approval of a second local option levy for the County would not reduce property taxes for Portland. However, the agreement has not been rewritten to reflect this fact. Passage of the Library levy has raised the County's portion of property taxes in Portland from about 40% to about 42% of the taxes collected.

Note that the 1997 Library and Public Safety levies had already raised the County's property taxes in Portland to about 42% of the *taxes collected*. However, under Measure 5, there was an untapped property tax capacity so that the County collected about 38% of the *potential taxes*. Under Measure 5 the untapped capacity was easy to calculate and to show. Under Measure 50 it is far more difficult to express. Of the \$10 per \$1,000 of real market value that is theoretically available in Portland, the County's 1998-99 operating levies collect about 39%. Portland's operating taxes constitute about 54%. Approximately 5% is not collected, yet both governments already encounter compression.

However I look at it, *we may not now comply with the terms of the property tax sharing agreement* – irrelevant though I believe those terms to be under the new Constitutional provision. An additional levy will raise the question again.”

As was the case in 1997, Multnomah County in 1999 will receive about 42.4% of the *taxes collected* in Portland. Passage of an additional local option levy would increase that percentage – a preliminary estimate is that the County would receive about 46% of the *taxes collected*.

An aspect missing from this discussion is the total capacity available within the \$10 cap. To estimate that capacity, and to project it into the future, requires knowing the real market value of property in Portland. I do not have that information for 1999. Therefore, I cannot give you, at this time, the County percentage of the *potential property taxes* under the \$10 cap – the fact most relevant to the 1991 agreement. Nor can I begin to develop scenarios about how that capacity is likely to change over the next five years. However, I have no reason to believe the County could propose an additional levy and keep its share of property taxes within 38% of the levying potential.

In the hope of clarifying, let me pose two hypothetical situations: one in which Portland proposes and the voters approve a local option levy for parks, and a second in which Portland proposes and the voters approve a charter amendment allowing amortization of the unfunded liability in the Police and Fire Disability and Retirement System.

1. If a \$26 million County Community Safety Levy were approved by the voters, and Portland voters approved a \$26 million City Parks Levy, there would be three local option levies in place. Within Portland they would total approximately \$65 million

County Levy Plans and Impacts on Portland's Levy Capacity
 October 6, 1999

| <u>Property Tax</u> | <u>Total Amount</u> | <u>Amount in Portland</u> |
|-----------------------|---------------------|---------------------------|
| Library Levy | \$22 million | \$18 million |
| Community Safety Levy | \$26 million | \$21 million |
| Parks Levy | <u>\$26 million</u> | <u>\$26 Million</u> |
| Total | \$74 million | \$65 million |

Note that the Parks Levy is collected entirely within the City. It represents about a third of the total local option levy amounts, but within Portland (where compression is most likely to occur) it represents 40% of the amount to be collected.

These three levies potentially compress each other. If they did, every dollar lost to compression would be split proportionally among the three levies. The Library Levy would lose about 28% of whatever was lost to compression; the Community Safety Levy would lose about 32% of whatever was lost to compression; and the Parks Levy would lose about 40% of whatever was lost to compression. And because the tax burden is higher with these levies, more properties are likely to reach the \$10 cap (increasing the amount of revenue lost to compression).

The important point is that the compression caused by the Library Levy, the Community Safety Levy, and the Parks Levy affects only the local option levies themselves. It will not reduce taxes collected through the Measure 50 permanent tax rates.

On the other hand, if Portland plans to propose a local option levy, it is clear that the County proposal for a Community Safety Levy would be a serious stumbling block worth serious debate.

2. If a \$26 million County Community Safety Levy were approved by the voters, and Portland voters amended the City Charter to allow prefunding of retirement benefits, there would be only two local option levies. For the sake of simplicity, assume that within Portland the tax burden might be approximately the same as in example 1.

| <u>Property Tax</u> | <u>Total Amount</u> | <u>Amount in Portland</u> |
|-------------------------|---------------------|---------------------------|
| Library Levy | \$22 million | \$18 million |
| Community Safety Levy | \$26 million | \$21 million |
| Retirement Amortization | <u>\$26 million</u> | <u>\$26 Million</u> |
| Total | \$74 million | \$65 million |

In this case, however, the compression situation would be entirely different.

Because the tax to retire the unfunded liability is *not* a local option levy, it will experience *no compression*. Each dollar of compression would cause revenue reductions in the two County local option levies, (46% from the Library Levy and 54% from the Community Safety Levy). The entire revenue shortfall would be concentrated in the local option levies. If they are reduced to \$0 on any given property, then compression would be spread to the City and County permanent tax rate collections.

This points out that while the City of Portland can take action that reducing County revenue, the County's local option levies are much less likely to reduce the City's tax collections. Note

County Levy Plans and Impacts on Portland's Levy Capacity
October 6, 1999

further that the City's actions could have this effect on the County even though the City might stay within the parameters of the 1991 share agreement.

As the County proceeds toward a decision about an additional levy, the impact on Portland needs to be kept in mind. Clearly, adhering to the 1991 agreement would limit any potential County tax to an amount that does not address the costs of the Rivergate Facility. Equally clearly, the State Constitution is now structured so that no local option levy of the County can cost Portland a nickel. Unless Portland also chooses to propose a local option levy, there is no competition between an additional County levy and Portland's taxing authority. Therefore, the question becomes whether the County's responsibilities for the public safety of the community justify offering the public a choice to increase property taxes.

It is obviously important that the Portland City Council participate in discussions around the question of any additional County tax levy. Presumably the 1991 sharing agreement will be part of the debate. My belief is that the agreement's goals cannot be achieved by its mechanism. It was designed to deal with a property tax system that has since undergone fundamental change. It is no longer relevant to the potential problems that arise under the current Constitutional limits. I hope that we rethink how to stay out of each other's way rather than use the 1991 agreement to dictate property tax decisions.



CITY OF PORTLAND

OFFICE OF FINANCE AND ADMINISTRATION

Vera Katz, Mayor
Timothy Grewe, Director
1120 S.W. Fifth Avenue, Rm. 1250
Portland, Oregon 97204
(503) 823-5288
FAX (503) 823-5384
TDD 823-6868

MEMORANDUM

TO: David Warren, Multnomah County Budget Manager

FROM: Tim Grewe, Director, Office of Finance and Administration

DATE: October 5, 1999

SUBJECT: County Levy Plans and Impacts on City/County Joint Resolution Regarding Levy Capacity

COPIES: Mayor Vera Katz
Commissioner Charlie Hales
Commissioner Jim Francesconi
Commissioner Erik Sten
Commissioner Dan Saltzman

I have reviewed the County's Memo dated September 29, 1999, regarding the County's proposal to seek new property tax serial levy authority at the November 2000 General Election. I have very serious concerns about this proposal, particularly with respect to the amount of levy capacity available to the County for such purposes and the potential negative financial impacts that will be imposed on the City.

As you know, following the passage of Measure 5 the City and County agreed to *coordinate and share* available levy capacity under the then new Measure 5 \$10 local government tax-rate limit. Relative shares were defined as percentage shares in place as of FY1990-91: 61% for Portland and 38% for County. A Joint Resolution was passed by both governments pledging to *coordinate and share* use of available Measure 5-levy capacity. Both governments pledged to remain within these historical shares and to consult with one another on property tax levy matters.

To that end, beginning in FY1991-92, the City reduced existing serial levy authority for Parks, Public Safety, and Street Lighting so as to be able to over levy FPD&R to offset expected compression *and* stay within a 61% historical share of available levy authority. Furthermore, the City brought annual street light program costs into the General Fund over a three year period rather than encroaching into the County's share of capacity, and rather than asking voters for a new serial levy (serial levies had been used to fund these program costs during the preceding 25 years).

With the passage of Measure 50, urban renewal collections authority was greatly expanded. The City, in determining urban renewal collections authority as required by Measure 50 enabling legislation, prepared all of its tax levy calculations so as to ensure that urban renewal divide-the-taxes plus special levy collections (as well as other City levy authority) did not encroach on the County's 38 percent share of available levy capacity under Measure 5. These calculations and levy plans were reviewed at length with County staff and the City made two appearances before the Board of County Commissioners explaining how it was going to

size urban renewal collections and stay within the shares agreement with the County. These calculations included an increased FPD&R levy in the out-years under the assumption that a long-term funding plan for these unfunded pension costs would be put into place and would require an allocation of tax capacity within the 61 percent of overall capacity allocable to the City. One outcome of this process was that Portland held back urban renewal collections authority (in the option 3 districts) and released assessed values to local governments, increasing County (and City) property tax revenues above what they would have otherwise been.

Based on our calculations it appears that the County came through Measure 50 with no effective reduction in property tax revenues due largely to the fact that voters approved a \$0.59 per \$1,000 local option library serial levy at the time Measure 47 was approved. In addition, the County had a previously authorized fixed term serial library levy (\$15.3 million in FY1996-97) and jails serial levy (\$26.5 million in FY1996-97) "rolled" into its Measure 50 fixed permanent tax rate. Thus the County's current fixed tax-base tax rate includes both a library and jails operating element, serial levies that would have otherwise expired. From this perspective, the County collects its current local option library levy on top of pre-Measure 50 serial tax levies that have been rolled into its permanent tax rate.

Although the passage of Measure 50 complicates the relationship between the City and County, Measure 5 is still in effect and dictates tax levy capacity available to all local governments. If I understand your Memo correctly, the County is now contemplating seeking voter approval for a new jails levy that is large enough to consume all existing excess capacity under the Measure 5 \$10 limit. This clearly violates the existing Joint Resolution. If there is roughly \$25 million of levy capacity available, then the County's share at 38% would be about \$9.5 million, with all but about 1% of the remaining \$15.5 million being Portland's share.

The City continues to believe that the Joint Resolution is still in effect. Consequently, the need to *coordinate and share* property tax levy capacity is certainly as valid today under Measure 50, *if not even more valid*, as it was initially under Measure 5. This should also be the County's view precisely because local option levy authority absorbs compression first. The City can stay within its allocable share of levy capacity and compress County local option levies with voter approval of a charter amendment that would allow higher FPD&R tax levy collections. In the absence of a new or revised agreement, we will continue to develop, share and coordinate our financial plans and tax levy needs with the County based on the existing Joint Resolution.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

In the Matter of Mutual Agreements)
With the City of Portland For Share) RESOLUTION
of Property Tax Receipts) 93-19

WHEREAS, prior to the passage of Ballot Measure 5, local governments could collect any amount of property taxes authorized by the voters; and

WHEREAS, prior to the passage of Ballot Measure 5, the amount of property taxes levied and collected by local government jurisdictions was not affected either by changes in assessed value of property, or property taxes collected by neighboring local governments; and

WHEREAS, with the passage of Ballot Measure 5, local governments in a taxing area are now limited to a total property tax rate of \$10 per thousand dollars assessed valuation and must share a fixed amount of total property tax dollars available within the \$10 rate limit; and

WHEREAS, by increasing its tax base or serial levies, a local government can increase its share of property taxes while reducing taxes to neighboring local governments; and

WHEREAS, for the past two years, the City of Portland and Multnomah County have structured their total property tax levies so that no revenues were taken away from other local governments and so that each government receives its pre-Measure 5 share of available tax dollars; and

WHEREAS, this policy meant that in FY 1991-92, the City of Portland did not levy the full amount of the authorized Street Light Levy; and

WHEREAS, this policy meant that in FY 1992-93, the City of Portland did not certify a PDC levy, nor did it seek to extend the Parks Improvement Levy, the Public Safety Capital Levy, and the Street Light Levy; and

WHEREAS, this policy means for FY 1993-94 that Multnomah County will not be able to levy property taxes sufficient to meet the full operating needs of libraries and jails; and

WHEREAS, this policy meant that for FY 1991-92 and FY 1992-93 Multnomah County has not been able to collect sufficient property taxes to meet the full operating needs of libraries and jails; and

WHEREAS, given that the amount of property tax dollars available to local governments is now limited, it is vital that local governments living under a tax rate limit coordinate their property tax planning so as not to cause adverse impact upon the ability of other local governments to deliver needed services; and

WHEREAS, the guiding principal of such tax planning should be that no local government increases its share of the total property tax receipts at the expense of its neighbors without the acquiescence of those other local governments; and

WHEREAS, governments constrained by the property tax limit will seek alternate revenues that may negatively affect policy goals of the community.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Portland and the Board of Commissioners of Multnomah County affirm that neither government will take action to increase its share of total local governmental property tax receipts without mutual agreement with the other jurisdiction; and

BE IT FURTHER RESOLVED, that neither the City of Portland nor Multnomah County will enact significant new discretionary revenues without first reviewing with the other government the impact of such measures on the policy goals of both governments.

ADOPTED on this 21st day of January, 1993.

MULTNOMAH COUNTY, OREGON

By Gladys McCoy
Gladys McCoy
Multnomah County Chair

CITY OF PORTLAND, OREGON

By Vera Katz
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October 7, 1999

To: Board of County Commissioners

From: Beverly Stein: Dan Noelle: Elyse Clawson

Re: Recommendation for Discussion of the Continuum of Alcohol and Drug services prior to implementation of IDAP

Last June, the Board set aside \$500,000 in contingency to begin the Inverness Drug and Alcohol Program pending a report from the Court Work Group. The Work Group examined a variety of issues relating to the balance between in custody and outpatient services, the role of MCRC, the possible use for presentenced offenders, IDAP's relationship with IJIP, and sentences. In addition, the Evaluation Unit was instructed to work with evaluators from MCSO and DCJ to evaluate both IDAP and the Washington County treatment center.

In September, during our discussions of how to spend proceeds from the Public Safety Bond, Commissioner Cruz raised the need to look at whether some of the interest proceeds should be used for alcohol and drug free transition housing in the community. Director Clawson is developing options for the Board's consideration. (If the Board decides to proceed in that directly, the need for operating funds for these facilities will become an even higher priority).

On September 23, 1999, the Board discussed the well developed proposed program developed by Ginger Martin, Carol Nykerk, Jackie Jamieson, and others and reviewed by the Court Work Group. At that time, the Board requested additional information on the continuum of services in alcohol and drug treatment in the community. This issue was raised by a consortium of providers who were concerned about the effectiveness of a treatment readiness program (IDAP) that lacked the potential follow through in the community. This review should include examining the transition planned for offenders sentenced to Interchange (our new secure facility in Washington County).



As part of the Juvenile Justice Plan submitted to the state and funded by the Legislature, Director Clawson identified the pressing need for additional juvenile secure treatment and community based treatment beds. While the secure treatment unit will be funded with state money, the transition beds and outpatient services for youthful offenders has not been addressed.

On October 7, we will begin our discussions on the proposed levy for next year. Part of the challenge raised by the levy will be developing a plan to deal with the \$8,600,000 of ongoing costs of public safety/levy programs that do not currently have secure funding.

Given the need for a thorough discussion of the continuum of alcohol and drug services and the uncertainty of how to best cover this deficit, we cannot recommend that we proceed with IDAP this year. The Board may decide that this is where the next public safety alcohol and drug dollar needs to be spent and include it on a levy next year. However, other priorities may emerge. That priority setting can properly and thoughtfully be done during our January to March policy discussions that will help shape the levy composition.

Therefore, we ask that the Board defer the planned October 28 briefing on IDAP and defer action that would access the \$500,000 placed in contingency for IDAP funding. In terms of our budget planning, that enables us to apply \$900,000 that would have gone to the annualization of IDAP to the \$8,600,000 operating deficit.

Instead, we need to prepare for January policy discussions on alcohol and drug services. Interest is high and we know Board members, department staff and community providers will all want input. Accordingly, Chair Stein will ask Vickie Gates and staff from the Evaluation and Research Unit in DSS to convene interested stakeholders and bring to the Board in January program options and the data which would support different approaches to impact this problem. (The final position added to the Unit was designed to work on alcohol and drug issues) The Unit will consult with you individually in the next two weeks to help develop criteria for success in impacting alcohol and drug problems in our community. Attached is a draft of a workplan for their task.

Our interest is in looking at what offenders we can target with what level of services to most effectively impact their levels of recidivism. This might include in jail treatment readiness, secure treatment, community placements, and transition services. Fortunately, we already have a quality in-jail proposal. Now, we need to develop others parts of the continuum and compare where is the most pressing need.

We are convinced this is the most fiscally and programmatically prudent step to take and ask for your support.

I. Describe the current community A&D treatment system

Task objectives:

1. Quantify the current contracted capacity (Residential, CIRT, OP, and Drug Free Housing) of the County's A&D treatment system.
2. Quantify the extent of under/over utilization of contract capacity.
3. Identify the cost for each service element.

Responsibility for coordinating this task:

Jim Peterson has offered to coordinate this task and will work closely with ACJ contracts unit in putting together materials that integrate DCFS and ACJ contract funded capacity and service utilization information

II. Determine the impact of InterChange & IDAP on the A&D community treatment system

Task objectives: Develop a model for estimating the number of clients (including service level need) from IDAP and InterChange who will be referred into community based services.

Responsibility for coordinating this task: Pam Mint (ACJ) is willing to take the lead in coordinating this task.

III. Determine strategies for addressing service capacity problems

Task objectives: Identify service needs/strategies to address service capacity problems that will be created by the implementation of IDAP and InterChange.

Task Implementation: Jim Carlson will host a joint meeting on October 14 (9 AM to 12 Noon) involving representatives from the Sheriffs Office, ACJ, and DCFS to share the results of tasks I & II and identify service and funding strategies.

IV. Prepare report to Board - I will be responsible to prepare the final report to the Board.



CASE NAME: SIGNIFICANT ENVIRONMENTAL CONCERN FOR WILDLIFE PERMIT NUMBER: SEC 39-98

1. Applicant Name/Address:

Walter and Janet Bowen
121 SW Morrison Street, #1000
Portland, Oregon 97204

2. Action Requested By Applicant:

Application for "after-the-fact" approval of a Significant Environmental Concern permit for a 120' x 60' parking area, access road and pond that have been recently constructed on the subject property.

Action Requested Of Board

- Affirm Hearings Officer Decision
Hearing/Rehearing
Scope of Review
On the Record
De Novo
New Information Allowed

3. Planning Director's Decision:

Deny the application based on the findings and conclusions contained within the Administrative Decision of the Planning Director.

4. Hearings Officer Decision:

Affirm Planning Director's Decision, finding that the Notice of Appeal filed by the applicant did not contain grounds sufficient to merit reversal of the Director's Decision.

5. If Recommendation And Decision Are Different, Why?

The Hearings Officer's decision supports the action taken by the Planning Director.

6. Issues:

Three key issues appear to exist. First, the parking lot is not a use permitted in the Commercial Forest Use Zone district. The amount of parking is so great (37 to 43 spaces per Hearings Officer) that it could not be considered customarily accessory to the existing residence as maintained by the applicant. Secondly, the area within which development is proposed was to be re-vegetated and maintained in native vegetation pursuant to a 1995 land use decision authorizing construction of the existing dwelling. Approval of development in this area would violate the 1995 decision and put into question the legal status of the dwelling. Lastly, development is within an area of Significant Environmental Concern for Wildlife Habitat, given that the property is within close proximity of Forest Park. The application failed to satisfy the review criteria and development standards for a Significant Environmental Concern land use permit.

Please note that the deadline for appeal of the Hearings Officer's decision is Friday, October 1, 1999. Any issues of concern to the applicant must be included in an appeal.

7. Do Any Of These Issues Have Policy Implications? Explain.

Policy implications relate to implementation of Commercial Forest Use and Significant Environmental Concern sections of the County Zoning Ordinance. These code sections are designed to ensure compliance with two Statewide Planning Goals, Goal 4 to conserve forest lands for forest uses, and Goal 5 to conserve and protect scenic and natural resources, the resource in this case being wildlife habitat.

MULTNOMAH COUNTY, OREGON

APPEAL TO LAND USE HEARINGS OFFICER

APPLICANTS/OWNERS: Walter and Janet Bowen

APPELLANTS: Walter and Janet Bowen

FILE NUMBER: SEC 39-98

APPLICATION: Request for Approval of SEC Permit for Property in
CCU Zoning District

OTHER PARTIES: Arnold Rochlin

DECISION OF HEARINGS OFFICER

Prior Land Use Approval History

In September of 1995, Multnomah County issued a GEC permit to allow construction of the Bowen residence on a forty-acre parcel of land near Forest Park in West Portland. This approval involved a review of wildlife protection standards similar to those now found in the County's SEC ordinance. The standards reviewed were found in the 1994 version of the West Hills Reconciliation Report and in the then unadopted SEC ordinance. The Report imposed a one acre limit on the "cultivated area" of a residential property (lawns and gardens) and required that the rest of the parcel should be left in native vegetation, to be altered only in conjunction with approved forest management practices. This Report requirement became Wildlife Habitat Condition 3 of the GEC permit.

The County's SEC standards required development to either comply with County home siting standards or adopt and implement a Wildlife Conservation Plan. The Bowens' asked for approval of a Wildlife Conservation Plan because their home site did not meet County siting rules. The County's 1995 wildlife review required the Wildlife Conservation Plan to fully mitigate any adverse impacts to wildlife habitat caused by the development of the Bowen property or to provide for wildlife enhancement measures to compensate for the loss of habitat values. In the Bowen plan, this mitigation and enhancement was to be accomplished by the Bowens' commitment to replant all "cleared portions" of the property with native vegetation. That commitment was included as Wildlife Habitat Condition 4 of the 1995 GEC permit.

Despite their clear commitment to revegetate the cleared portions of the property, the Bowens proceeded to develop these areas. In the current proceeding, the Bowens have argued that

because these areas of their property are cleared they are suitable for development under SEC rules. The Bowens ask the County to issue new SEC permits for activities that will preclude the Bowens from complying with the 1995 permit and from revegetating the cleared areas for wildlife habitat enhancement.

Procedural Background

On June 18, 1998, the County notified the Bowens of their violation of their 1995 GEC land use permit approval. The Bowens contested this notice of violation. On September 29, 1998, the Bowens were found to have developed their property in violation of their land use permit and the County's land use code.

On November 2, 1998, the Bowens filed an application for approval of an SEC permit to authorize the construction of a pond, parking area and new access road on their property. This application was filed in an effort to obtain County approval of the improvements that were the subject of the enforcement action. The Bowens' application is, however, limited in scope to the new improvements proposed by the applicants. The permits filed do not ask the County to reconsider the decision or conditions imposed in GEC 19-95, the 1995 grading and erosion control and wildlife permit.

The Bowens' SEC permit application was incomplete when submitted. The Bowens' attorney, Michael Robinson, was advised of this fact and was provided a list of the specific deficiencies in the application. On April 29, 1999, Mr. Robinson filed a letter and other materials with the County and claimed that the new information completed the land use application. The new material proposed changes to the pond to be more "natural" and to plant native vegetation. No new site plan was, however, submitted. A list of native vegetation was provided but no commitment was made to use some or all of this vegetation in the pond.

On June 29, 1999, Multnomah County Planner Derrick I. Tokos, AICP issued a decision denying approval of the applicant's request for an SEC permit for the parking lot and pond. On July 11, 1999, the Bowens filed an appeal of the County's decision of denial.

After filing the Notice of Appeal, Mr. Robinson met with County Planners Phil Bourquin and Derrick Tokos to discuss the appeal. On August 16, 1999, Michael Robinson wrote a letter to Mr. Bourquin and Mr. Tokos. In that letter, Mr. Robinson stated that his clients were willing to make changes to their SEC application. One of the changes was to reduce the parking area so it would accommodate 13 parking spaces and to use the rest of the parking area as a "sport court."

On August 18, 1999, a hearing was held regarding the appeal. At the hearing, Michael Robinson granted the County a four-week extension of the 150-day period from August 18, 1999 through September 15, 1999. The Hearings Officer allowed the parties two weeks to

submit post-hearing evidence (September 1, 1999 deadline), one week to submit rebuttal evidence to materials submitted during the two-week period (September 8, 1999 deadline) and one week to the applicant to provide final written argument (September 15, 1999 deadline).

Standing of Arnold Rochlin

The hearings officer finds that Arnold Rochlin has standing to appear and be heard in this matter. Mr. Rochlin has submitted evidence to show that he is a representative of the Forest Park Neighborhood Association. The Association is a neighborhood group that is recognized by the County as entitled to receive notice of use decisions for a geographic area that includes the Bowen property.

Scope of Review on Appeal

The County's land use procedures ordinance requires that the specific grounds for reversal or modification of an administrative decision be specified in the Notice of Appeal. MCC 11.15.8290. The hearing is to be limited to the specific grounds relied upon in Notice of Appeal. MCC 11.15.8295(A). The hearings officer's decision must specifically address the relationships between the grounds listed in the Notice of Appeal and the relevant approval criteria for the SEC permit application. MCC 11.15.8295(C).

The applicants have attempted, after filing the Notice of Appeal, to change the use proposed in their application from a parking lot to a parking lot and sports court. A sports court is a new use. Different provisions of the CFU zoning district, therefore, are relevant approval criteria. It is a fundamental aspect of the Oregon land use system that persons affected by a land use application are entitled to notice of the matter being proposed and reviewed by the County and to receive notice of the applicable criteria that apply to review of the application. Proceeding now, without providing such notice would violate ORS 197.763. Specifically, ORS 197.763(3)(a) requires that the County provide notice of the nature of the application and the uses that could be authorized and the applicable criteria. Furthermore, this change in use is made after the filing of the Notice of Appeal. Since the appeal was filed before this new proposal was made, the grounds in the Notice of Appeal could not possibly raise issues regarding the new proposal. It would be purely speculative to say what the Director's decision might have been if a sports court and a thirteen-space parking lot had been proposed in the first instance.¹ As a result, this decision addresses the land uses reviewed and denied by the Director.

Arnold Rochlin has also attempted to expand the scope of review on appeal based upon

¹The applicants' offer to reduce the size of their parking lot was made in conjunction with the sports court proposal, not as a stand-alone proposal.

statutes that assure him the right to appeal the County's administrative decision. ORS 215.416. The County's procedures ordinance gave Mr. Rochlin that right, a right Mr. Rochlin chose not to exercise. The County's procedures ordinance clearly limits a review on appeal to issues identified in the Notice of Appeal. The hearings officer finds that such a limitation does not violate ORS 215.416 merely because Mr. Rochlin saw no reason to appeal a decision with an outcome that was favorable to his interests.

None of the cases cited by Mr. Rochlin hold that it is impermissible to limit the scope of appeals from administrative decisions. In fact, the case of Murray v. City of Beaverton, 17 Or LUBA 723 (1990) holds that a local government may limit the scope of review of an appeal of administrative decision.

The applicants strenuously objected to any enlargement of the scope of appeal to allow Mr. Rochlin to present new arguments. Interestingly enough, the applicants presented arguments that strayed beyond the bounds of the issues raised in the Notice of Appeal. For the most part, the hearings officer has addressed just the issues raised by the Notice of Appeal. All other issues raised by the applicants' arguments are rejected as beyond the scope of the notice. Where matters beyond the scope are discussed, they are provided as *dicta* for the benefit of the Board of County Commissioners on appeal.

Grounds for Review In Notice of Appeal

The following are the grounds for appeal:

1. The Planning Director erred by describing the application as an "after-the-fact" Significant Environmental Concern permit.
2. The Director erred in finding that the proposed parking lot is not a permitted use because a parking lot is accessory to a permitted use and the Director's finding is unsupported by substantial evidence.
3. The Director erred in applying the purpose statement of the Commercial Forest Use zoning district because the purpose statement is not an applicable approval criterion. MCC 11.15.6420 and .6426 do not list MCC 11.15.2042. The purpose statement is an aspirational statement and is not a mandatory approval criterion.
4. The Director erred in denying the application by applying minimum parking requirements.
5. The Director erred in denying Statewide Planning Goals 4 and 5 to the decision because they are not applicable approval criteria.
6. The Director erred in treating the 1995 Significant Environmental Concern permit, findings of fact and its conditions of approval as applicable approval criteria.
7. The Director erred in finding that MCC 11.15.6426(B)(1) and (C)(1) are not satisfied.
8. The Director erred in finding that MCC 11.15.6426(B)(1) limits development to one (1) acre. The Director's interpretation is not entitled to deference, is indefensible and clearly wrong and is inconsistent with the plain language of the land use regulation.

9. The Director erred in finding that MCC 11.15.6420(C) is not met.²
10. The Director erred in finding that MCC 11.15.6420(F) is not met by applying the 1995 SEC permit condition of approval.
11. The Director erred in finding that MCC 11.15.6420(M) is not met by applying the 1995 SEC permit findings of fact.

Hearings Officer's Findings Regarding Grounds for Appeal

1. *The Planning Director erred by describing the application as an "after-the-fact" Significant Environmental Concern permit.*

Findings: The County's description of the application as "after-the fact" is accurate. The applicants have not explained how the use of this description relates to the approval criteria. The hearings officer has found no such connection. As such, this ground for appeal is meritless.

2. *The Director erred in finding that the proposed parking lot is not a permitted use because a parking lot is accessory to a permitted use and the Director's finding is unsupported by substantial evidence.*

Findings: The Director found that "[a] parking lot is not a use permitted outright, or permitted subject to review in a Commercial Forest Use zone district (MCC .2048, .2049 & .2050)." The Director's finding is legally correct. A parking lot is not listed as a permitted use in MCC 11.15.2048, the code section that lists uses permitted outright in the CFU district. Off-street parking and loading "as required by MCC .6100 through .6148" is an accessory use and is allowed if it meets the requirements of MCC 11.15.2054(B). MCC 11.15.2054 categorizes parking as an "accessory use," a different use category than a use permitted outright. The Director's finding that the lot is not a permitted use is a conclusion of law that is amply supported by law.

Mr. Robinson's written argument asserts that the Director erred in finding that the size of the parking area proposed by the applicant is too large to be "customarily" accessory to a residential dwelling. This claim was not, however, plainly stated in this assignment of error. In the light most favorable to the appellant, the word "permitted" might be read to mean "allowed." In that light, the claim would be that the Director made a mistake by finding that the Bowen's parking lot was not allowed because (1) a parking lot is an

²The applicant's Notice of Appeal contains no Item 9. The hearings officer has not perpetuated this error. As a result, Items 9 -11 are not numbered as shown in this Decision.

accessory use;³ and (2) because the conclusion that the use is not allowed is not based on substantial evidence.

The fact that parking is classified as an accessory use by the CFU zoning district does not mean that any parking whatsoever is allowed. The accessory use provisions of the CFU district clearly state that parking "as required by MCC .6100 through .6148" is only allowed if it is "customarily accessory or incidental" to a permitted use.

The Directors' decision to find that the parking lot is not an accessory use was based on a number of legal and factual conclusions. The Director "did not concur" with the applicant's assertion that the spaces proposed (a total of 37 to 43 parking spaces with the 1995 approved spaces and the new spaces) is accessory to a single family residence.⁴ This refusal to "concur" is not erroneous where, as here, the evidence presented to the Director on the "customarily accessory or incidental" issue consisted solely of statements of legal conclusions.

In a quasi-judicial land use proceeding, the burden of proof is on the applicant, not the County. This means that the County is not required to present any evidence, much less "substantial evidence" before it concludes that an applicant has not demonstrated compliance with an approval requirement.⁵ The application and supplemental materials provided to the Director simply stated a legal conclusion – that "[s]uch a parking area is customary as an

³The hearings officer notes that Mr. Robinson said "a parking lot" rather than "the Bowen parking lot" in this ground for appeal. The language chosen by Mr. Robinson presents a legal claim the Bowen parking lot is allowed because a parking lot is permitted in the CFU zone. This argument is consistent with the approach taken in the application, which is that the amount of parking proposed is irrelevant because parking, without any limits, is allowed by the CFU zoning district.

⁴The 1995 GEC permit authorizes 13 parking spaces around the entrance to the building and, presumably, in the Bowen's garage. All of the approved parking areas were not built as shown on the approved 1995 site plan, however, no aspect of the new approval would remove the Bowen's ability to develop all of the 13 approved spaces. It is obvious that some parking occurs in the approved parking area but the total number of current spaces in the approved area is not clear.

⁵The record may more reasonably be said to have lacked "substantial evidence" supplied by the applicants upon which the County could have concluded that the second, new parking area was customarily accessory or incidental to the single-family residence.

accessory use for like dwellings in the area”⁶ and that “[t]he parking area is an accessory use to the dwelling.”⁷ No evidence regarding the amount, location or type of parking arrangements for other single family residents was presented. On that record, the Director’s conclusion was proper.

The applicants presented some very general evidence regarding parking on other properties at the land use hearing. This evidence does not bear on the question whether the Director’s decision was based on substantial evidence as it was presented long after the Director’s decision was published. The same is true for evidence presented in response to the hearings officer’s questions regarding the Bowens’ needs for parking.

In post-hearing comments, the applicants’ attorney Frank Flynn argued that the County’s 1995 approval of “approximately ten spaces” in conjunction with the dwelling shows that ten spaces are accessory to an approved use. The flaw with this argument is, however, that approval of the new application will allow the construction of a second parking area, in addition to the thirteen spaces approved in 1995. The approval of a large number of parking spaces in the first proceeding does not logically support the approval of the same or a greater number of spaces in addition to the previously approved parking. This argument is also outside of the scope of the issues raised in the appeal and, therefore, does not support reversal of the Director’s decision.

3. *The Director erred in applying the purpose statement of the Commercial Forest Use zoning district because the purpose statement is not an applicable approval criterion. MCC 11.15.6420 and .6426 do not list MCC 11.15.2042. The purpose statement is an aspirational statement and is not a mandatory approval criterion.*

Findings: The Director listed the purpose section of the CFU District as an applicable approval criterion. The Director did not, however, treat the purpose section itself as an approval criterion for the SEC permit. Rather, the Director properly considered the purpose section of the CFU zoning district as an aid in interpreting the meaning of the CFU zone’s accessory use provisions regarding parking. This is a reasonable and appropriate use of the purpose statement.⁸ This use is consistent with ORS 197.829(1) that requires local

⁶October 30, 1998 Application, p. 2.

⁷April 29, 1999 letter to Derrick Tokos from Mike Robinson, p. 5.

⁸It is remarkable that applicants make this argument when they rely upon the purpose of the County’s parking district to support their arguments in opposition to imposing parking restrictions.

interpretations of land use laws to be consistent with the purpose or underlying policy of the law.

It is also fundamental that the applicants must establish that the use proposed is allowed by the applicable, underlying zoning district before an SEC permit may be approved. Marquam Farms v. Multnomah County, ___ Or LUBA ___ (LUBA No. 95-254, 12/5/96); *aff'd* 147 Or App 368, 936 P2d 990 (1997). As a result, the use restrictions of the CFU zoning district are relevant approval criteria for an SEC permit and need not be set forth in MCC 11.15.6420 and .6426 to be applicable to the review of an SEC permit for land located in the CFU zoning district.

4. *The Director erred in denying the application by applying minimum parking requirements.*

Finding: The Director did not deny the application by applying minimum parking standards as an approval criterion. The Director denied the application because the applicants failed to establish that the amount of parking proposed was customarily accessory or incidental to a dwelling. The hearings officer finds that the Director's decision was proper, based on the evidence before the Director, because the record lacked any facts, as opposed to statements of legal conclusions to support a finding that the parking was customarily accessory or incidental to the use of the Bowen residence.

The Director found the County's parking code minimum is 2 stalls and said that this "requirement" of a minimum of two spaces was exceeded in 1995. This conclusion was stated to support the Director's finding that the Bowens' parking lot was not customarily accessory or incidental to a single-family residence in a CFU zoning district. Nothing in the language of the Decision, however, indicates that the 2 stall minimum was, itself, applied as a maximum parking limit or a mandatory approval criterion. In fact, staff recognized that 13 parking spaces are authorized for the property by the 1995 permit.

In the event it is determined that the Director erroneously "applied" a two stall limit in making this decision, the hearings officer finds that the Director's conclusion that the applicants had not proven that the large amount of parking proposed was not customarily accessory or incidental was correct. This was due to the fact that the applicants chose to argue that the "customarily accessory or incidental" test did not apply.⁹

⁹This conclusion is based upon the evidence presented to the Director as the allegations of error in the Notice of Appeal are keyed to the propriety of the Director's

5. *The Director erred in denying Statewide Planning Goals 4 and 5 to the decision because they are not applicable approval criteria.*

Finding: Goals 4 and 5 are not applicable approval criteria in the County's review of this application. The Director did not, however, deny the application on the basis of the requirements of either goal. This is plain from the language of the Director's decision. The Decision states "[l]and uses are strictly regulated by Multnomah County to ensure compliance with two Statewide Planning Goals, Goal 4 . . . and Goal 5 . . . This . . . SEC permit has been required to demonstrate compliance with Goal 5." The SEC permit process and the County's strict regulations are the tools that provide compliance with Goal 5. No provisions of the Goal 4 or Goal 5 rules themselves were addressed or considered by the Director.

6. *The Director erred in treating the 1995 Significant Environmental Concern permit, findings of fact and its conditions of approval as applicable approval criteria.*

Findings: It is clear in the law that the conditions of the 1995 GEC/Wildlife permit application are binding on the Bowens. As a general rule, the conditions of a land use approval are binding as an intrinsic part of the approved use until such time as a land use applicant files an application to modify the conditions of approval of the permit, obtains approval of a new land use permit or discontinues the approved use.¹⁰ The Bowens have not taken any action to directly amend the conditions of the 1995 GEC permit. Instead, they have applied for an SEC permit to develop a portion of their property in a way that will violate the conditions of approval of the 1995 permit. In particular, they plan to place a parking lot, driveway and pool in an area that Wildlife Habitat Condition 4 requires be revegetated with native vegetation.

The conditions of approval of the 1995 GEC permit are key to the legality of the existing residence. They were developed to mitigate the negative impacts caused to the area's wildlife resource by the development of the Bowen home on a portion of the property where the County's clear and objective home

conclusions. As it is not logically possible for those actions to have been made based on subsequently filed evidence, such evidence is not relevant to a determination of whether the Director erred.

¹⁰The hearings officer's discussion of other possible approaches is not a finding that Multnomah County's zoning ordinances authorize these approaches as this is question is purely academic at this time. Many Oregon jurisdictions have specific provisions to authorize one or more of these means of changing a prior decision.

siting regulations prohibited development. In return, the Wildlife Conservation Plan was adopted and was to have been followed by the Bowens. That Plan clearly states that areas outside of the cultivated area would be restored to native vegetation by planting species indigenous to the site and surrounding wildlife areas. In order to relieve the Bowens of this legal obligation that is created by the issuance of the 1995 permit, one must find explicit code authorization for such action or grant a new permit for the activity previously sanctioned.

Additionally, as the applicants wish to retain their residence, they are bound to honor their legal obligation to revegetate the area that is proposed for development in the pending SEC applications. It is a long-settled rule of law that it is not permissible for persons to agree to commit an illegal act. In the context of this proceeding, it is clearly not appropriate for the County and the applicants to agree to proceed with land use activities that will violate a lawfully issued, valid land use permit. Most critically, the conditions of the initial permit were imposed to assure compliance with relevant approval criterion. Without said conditions, the permit would have been denied. It would be unthinkable for the County to claim it could remove conditions of approval it was legally required to include in the 1995 decision by applicable approval criteria without first determining that the criteria applicable to the use will still be met. In this context, it was not error for the Director to treat these obligations as approval criteria.

It is also clear that the conditions of the 1995 decision must be met as a precondition of parking lot development. The parking use requested is an accessory use. A single family residence must exist on the property for the parking lot use to be allowed by the County. The Bowens' right to maintain their residence on their property is conditioned upon their compliance with the conditions of the permit approval, conditions they have unquestionably violated. At present, therefore, there is no legally authorized single-family dwelling on the property to which the proposed parking can be considered "accessory." Until such a lawful dwelling is established, no "accessory" parking areas may be approved on the property.

The hearings officer's analysis of this issue is consistent with MCC 11.15.9052(B). That section prohibits the hearings officer from granting any land use approval for the Bowen property because the property is subject to a County enforcement action unless the permit requested by the applicants will "correct" the land use violation. In this case, the requested permit will not correct the violation – it will simply grant approval to a use that will violate the 1995 permit. MCC 11.15.9052(B) does not make an otherwise unlawful activity lawful. It merely gives the hearings officer the right to approve a

permit if all other conditions precedent to its approval are satisfied, notwithstanding the fact that violation proceedings have been instituted.

The applicants claim they were told by County staff that they could correct their violation of the 1995 GEC permit by applying for a GEC and SEC permit. What is very clear in the record, however, is that Mr. Tokos told the applicants that he did not see how the application that was filed by applicants could satisfy the Significant Environmental Concern criteria. Mr. Tokos then discussed other options that were available to the applicants. The applicants chose not to pursue those more promising alternative approaches. *See Exhibit B2, 12/2/99 Letter from Derrick Tokos to Walter & Janet Bowen.*

The applicants claim that the pool, home and driveway are "not implicated" by the activities prompting the County's enforcement action is clearly wrong. The new activities will make it impossible for the Bowens to comply with the conditions of the 1995 Plan and permit, conditions that are essential to the continued conduct of the 1995 approved uses on the Bowen property. The 1995 approved structures and facilities are allowed on the property upon the clear condition that the entire property be maintained as required by the 1995 approved Wildlife Conservation Plan. As a result, the permit application, at a minimum, should have addressed the entire property.¹¹

7. *The Director erred in finding that MCC 11.15.6426(B)(1) and (C)(1) are not satisfied.*

Findings: MCC 11.15.8290 (B)(3) requires that the "specific grounds" relied upon for reversal must be stated in the Notice of Appeal. This assignment of error does not provide any explanation what error occurred. As the hearings officer's scope of review is limited to specific grounds raised in the Notice of Appeal, the applicant's 7th ground for appeal furnishes no basis for reversal of the Director's findings.

8. *The Director erred in finding that MCC 11.15.6426(B)(1) limits development to one (1) acre. The Director's interpretation is not entitled to deference, is indefensible and clearly wrong and is inconsistent with the plain language of the land use regulation.*

Findings: The Hearings Officer agrees with appellants that MCC 11.15.6426(B)(1) does not limit development of the subject property to one acre. The area of the proposed development was a non-forested clear area in 1995 when the GEC permit was approved. After GEC approval, this area became a non-forested

¹¹Whether the County's zoning code authorizes or prohibits the use of this approach is not an issue that was raised by the appeal or decided by the hearings officer.

clear area that was burdened by an obligation to be planted with native vegetation. See Condition 4 of Wildlife Habitat Review, GEC 19-95.¹² This fact, however, is not material to a decision of this case as the Bowens have elected to proceed under MCC 11.15.6426(C) rather than .6426(B). As a result, MCC .6426 (B) is not a relevant approval criterion for this application.¹³ The Director's error, however, does not warrant reversal of the Director's decision as other valid grounds for denial remain.

9. *The Director erred in finding that MCC 11.15.6420(C) is not met.*¹⁴

Findings: MCC 11.15.8290 (B)(3) requires that the "specific grounds" relied upon for reversal must be stated in the Notice of Appeal. MCC 11.15.8295(A). This assignment of error does not provide any explanation of the reason an error is alleged to have occurred. Without this information, this ground for appeal does not provide a basis for reversal of the Director's decision.

10. *The Director erred in finding that MCC 11.15.6420(F) is not met by applying the 1995 SEC permit condition of approval.*

Findings: The decision does not apply the 1995 SEC permit as a condition of approval in its findings regarding MCC .6420(F). Instead, the Director finds fault with the applicants' failure to explain how development of an area that the applicants agreed to commit to wildlife habitat rehabilitation will "protect" significant wildlife habitats." The 1995 permit is clearly relevant to a consideration of the nature of the area in question and the removal of that area from a wildlife rehabilitation obligation logically affects area wildlife. The Director did not err in considering the impact that the 1995 permit has upon the status of the Bowen property.

¹²Condition 4 requires: "Cleared portions of the subject site should be replanted with native vegetation in conformance with all applicable Multnomah County codes (MCC 11.15.2074, .6426, et. al.) to enhance the wildlife habitat resource."

¹³It appears the Director meant to refer to MCC 11.15.6426(C)(3)(b) which limits the newly cleared area associated with development to an area of no more than one acre, "excluding from this total the area of the minimum necessary required for fire safety purposes." That section does apply to review of the Bowen's land use application. The hearings officer's decision addresses .6426(B), however, as that is the section cited in the decision and Notice of Appeal regarding the cleared area issue.

¹⁴The applicant's Notice of Appeal contains no Item 9. The hearings officer has not perpetuated this error. As a result, Items 9 -11 are not numbered as shown in this Decision.

It is less clear to the hearings officer that the area, in question, would be "significant habitat" and that if "significant," that County codes would support a no development condition.¹⁵ This issue is raised in applicants' legal arguments and application but was not raised in the Notice of Appeal. As such, it is not a basis for reversal of the Director's decision. See discussions of this issue, above.

11. *The Director erred in finding that MCC 11.15.6420(M) is not met by applying the 1995 SEC permit findings of fact.*

Findings: MCC .6420(M) requires that any area "which has an identified need for protection of the natural vegetation" must be retained in a natural state to the maximum extent possible. The Director treats the 1995 decision as having identified a need to protect natural vegetation in the new development area. This approach is reasonable and correct. The 1995 decision is binding on the applicants and identifies a need to protect natural vegetation by reestablishing natural vegetation in the areas that would developed if the 1998 SEC application is approved.

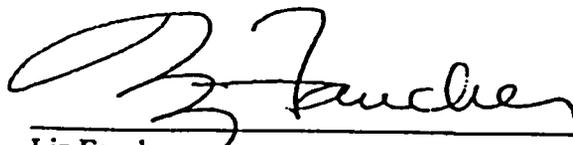
The applicants argue that MCC .6420(M) does not apply to their development as no natural vegetation exists in this area nor has it ever existed in this location.¹⁶ This grounds for reversal is not raised in the Notice of Appeal and, therefore, does not furnish a basis for reversing the Director's determination that the applicants had not demonstrated compliance with MCC .6420(M).

¹⁵If all land designated SEC Wildlife is significant, the protection requirement of MCC .6420(F) cannot be read to require preservation of all areas of the Bowen property as other provisions of the County code plainly allow some development. MCC 11. 15.6404(A); .6409(E).

¹⁶While the applicants' argument is factually correct, it ignores the fact that native vegetation should be and would be growing on this area of the Bowen property if the Bowens had honored their promise and legal obligation to revegetate this area of their property.

Based on the foregoing findings of fact, the Hearings Officer finds that none of the Bowens' Notice of Appeal does not provide grounds to merit reversal of the Director's decision to deny the Bowens' request for approval of an SEC Wildlife Permit. The Director's decision of denial, therefore, is **AFFIRMED**.¹⁷

Dated this 19th day of September 1999.



Liz Fancher
Multnomah County Land Use Hearings Officer

Attachment: Exhibit List

NOTICE OF APPEAL RIGHTS

The Hearings Officer's Decision may be appealed to the Board of County Commissioners (Board) by any person or organization who appears and testifies at the hearing, or by those who submit written testimony into the record. An appeal must be filed with the Transportation and Land Use Planning division within ten days after the Hearings Officer decision is submitted to the Clerk of the Board. An appeal must comply with all procedural requirements prescribed by the Multnomah County Code, including completion of a Notice of Review and payment of a fee of \$500.00 plus a \$3.50 per-minute charge for a transcript of the initial hearing(s). [ref. MCC 11.15.8260(A)(1) and MCC 11.15.9020(B)] Instructions and forms are available at the Planning Office at 1600 SE 190TH Avenue, Portland, Oregon, or you may call 503-248-3043 for additional instructions.

THIS NOTICE IS PROVIDED AS A COURTESY TO THE PARTIES. PLEASE, HOWEVER, CONSULT THE APPLICABLE PROVISIONS OF THE MULTNOMAH COUNTY LAND USE CODE, DULY ADOPTED COUNTY FEE SCHEDULES AND STATE LAW TO ASSIST YOU IN COMPLYING WITH ALL FILING REQUIREMENTS. IN THE CASE OF A CONFLICT BETWEEN THIS NOTICE AND THE LAW, THE PROVISIONS OF THE LAW CONTROL.

¹⁷Mr. Tokos stated that a plan for a "natural pond" could be approved by the County. As the pond was not approved and no issue cited in the Notice of Appeal warrants a change in the Decision or clearly raises the issues about the pond that could support reversal of the decision (e.g. the pond is allowed by the 1995 permit approval as natural vegetation and habitat enhancement), the hearings officer did not change the Director's decision.

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**BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR
MULTNOMAH COUNTY, OREGON**

In the matter of an appeal by Walter and Janet Bowen of the Hearings Officer's denial of their application for an SEC permit in the CFU zoning District)
) Multnomah County Case-
) File SEC 39-98
)
) Notice of Review
)

NOTICE OF REVIEW

1. Name and address of the parties seeking review:

Mr. and Mrs. Walter Bowen, Bowen Development Company, 3850 US Bancorp Tower
111 SW Fifth Avenue, Portland, OR 97204.

2. Date decision was announced:

The decision was submitted to the Board Clerk on September 21, 1999 and signed by
the Hearings Officer on September 19, 1999.

3. Date the written decision was filed with the Clerk of the Board:

September 21, 1999.

4. Date this Notice of Review was filed with the Planning Director:

October 1, 1999 by personal delivery to the Multnomah County Department of
Environmental Services, Land Use Planning Division.

5. Nature of the decision:

Denial of applicants' request for approval of an SEC permit in the CFU zoning district.

1 **6. Statement establishing status of the parties seeking review as a party**
2 **pursuant to MCC 11.15.8260(B):**

3 The appellants are the applicants below and appear personally in writing and orally and
4 through their legal representatives before the Hearings Officer.

5 **7. The grounds relied upon for review (why the decision should be reversed):**

6 A. The Hearings Officer erred in affirming the Planning Director's decision by
7 misapplying the applicable law and misinterpreting relevant facts.

8 B. Mr. Rochlin does not have standing to appear because there is no evidence that
9 the Forest Park Neighborhood Association is recognized by the Multnomah County Board of
10 Commissioners.

11 C. The Hearings Officer erred by refusing to allow new facts and changes to the
12 site plan. The Hearings Officer's basis for doing so is her determination that the hearing
13 before her was limited to the specific grounds relied upon the notice of appeal but she herself
14 concluded during the hearing that this is a notice provision and does not limit new issues nor
15 new evidence. Further, with respect to appeal issues relating to the pond, it was impossible
16 for the applicants to appeal with any specificity the Director's decision on the pond because the
17 Director's decision contained no findings on the pond.

18 D. The Hearings Officer erred by finding that ORS 197.763(3)(a) prohibited the
19 applicant from requesting changes to the proposed plan. Furthermore, on several occasions,
20 the applicants' representatives requested that Mr. Tokos meet to discuss proposed changes to
21 the plan prior to the issuance of the Director's decision. However, no meeting with the
22 applicants' representatives was scheduled until after the issuance of the Director's decision.
23 The Multnomah County Code expressly allows the Hearings Officer and the Board of
24 Commissioners to impose conditions; the proposed changes to the site plan reviewed by
25 Director, that is, changing the originally proposed parking area into a sports court and smaller
26 parking lot is an action clearly within the authority of the Hearings Officer and Board to

1 consider and grant. Finally, the Hearings Officer erred by finding that the applicant presented
2 arguments not within the bounds of the issues raised in the Notice of Appeal. The Notice of
3 Appeal filed by applicants was broad enough to include all issues raised before the Hearings
4 Officer.

5 E. The Hearings Officer erred by finding that the Director did not err by
6 concluding that the proposed parking lot is not a permitted use.

7 F. The Hearings Officer erred by finding that the Director did not err in applying
8 the purpose statement in the CFU zoning district.

9 G. The Hearings Officer erred by finding that the Director did not err in denying
10 the application by applying minimum parking requirements.

11 H. The Hearings Officer erred by finding that the Director did not err in applying
12 Statewide Planning Goals 4 and 5 to the decision.

13 I. The Hearings Officer erred by finding that the Director did not err in treating
14 the 1995 Significant Environmental Concern Permit, Findings of Fact, and its Conditions of
15 Approval as applicable approval criteria.

16 J. The Hearings Officer erred by finding that the Director did not err in finding
17 that MCC 11.15.6426(B)(1) and (C)(1) are not satisfied. Specifically, MCC 11.15.6426(C)(1)
18 confines development to non-forested "cleared" areas except as necessary to provide access
19 and to meet minimum clearance standards for fire safety. The Director and Hearings Officer
20 erred in not finding this criterion had been met because unrefuted evidence in the record
21 incorporated herein by reference demonstrates that the applicants entire development was
22 conducted entirely within a previously cleared non-forested area. Hence, this criterion is met.
23 MCC 11.15.6426(C)(1) relates to a wildlife conservation plan required where physical
24 characteristics unique to the property prevent compliance with section (B) development
25 standards. The Director and the Hearings Officer erred in not considering information relating
26 to the habitat value of the applicants' landscape and planting plan provided to the Hearings

1 Officer and incorporated herein by reference. As documented in the record, the applicant has
2 planted over 4,500 trees and shrubs including species native to Oregon. The applicants'
3 landscape plan provides a high degree of plant diversity and increases horizontal structure in
4 the vegetation of the area. The planting and landscaping will provide cover, food sources and
5 nesting opportunities for birds and mammals. The applicants' landscape and plant plan
6 effectively constitutes a conservation plan meeting the requirements of this provision and the
7 Director and Hearings Officer erred in not so finding.

8 K. The Hearings Officer erred in finding that the Director did not err in finding
9 that MCC 11.15.6426(B)(1) limits development to one (1) acre. For purposes of this notice,
10 all of the applicants' reasons for appeal of the Director's decision including written and oral
11 testimony submitted during the Hearings Officer's proceeding are incorporated herein by
12 reference.

13 L. The Hearings Officer erred in finding that the Director did not err in finding
14 that MCC 11.15.6420(C), MCC 11.15.6420(F), and MCC 11.15.6420(M) were not met.
15 With respect to MCC 11.15.6420(C), that provision speaks of balancing fundamental
16 considerations and cost with the need to preserve and protect areas of environmental
17 significance. As is demonstrated in the record incorporated by reference, over 90 percent of
18 the property is protected and preserved to maintain a wildlife corridor between the Coastal
19 Range and Forest Park. Testimony was also provided demonstrating that the area at issue is
20 not necessary to maintain that wildlife corridor. In addition, some portions of that protected
21 property are being enhanced to benefit wildlife. All development on this site has been
22 restricted to previously cleared, disturbed areas with lower environmental values and as exhibit
23 in the forested areas. The developed area does not contain wetlands or streams. The Hearings
24 Officer erred in not finding that, on balance, allowing the requested use is consistent with
25 preservation and protection of significant resources. With respect to MCC 11.15.6420(F), that
26 provision relates to protection of significant fish and wildlife habitat. Again, as demonstrated

1 by testimony in the record incorporated by reference, over 90 percent of the forty acre parcel
2 is being protected and preserved, including all of the property's forested areas. Development
3 has been restricted to previously disturbed, cleared areas. Within the context of the County
4 Code and the West Hills Reconciliation report, both of which recognize the need for
5 development and consideration of property owners right to use of their property, habitat that is
6 environmentally significant is being protected and the Hearing Officer erred in not making
7 such a determination. With respect to MCC 11.15.6420(M), that provision relates to
8 protection of fragile or endangered plant habitat to the maximum extent possible. The Oregon
9 Natural Heritage Database contains no record of sensitive or fragile native plants species or
10 habitat in the immediate vicinity of the applicants' property. The record incorporated by
11 reference includes testimony to that effect. The residential development, including those
12 activities subject to this permit application, occurred in non-forested, disturbed areas that do
13 not possess unique functions or characteristics requiring protection under the provisions of
14 MCC 11.15.6420(M). Consequently, the Hearing Officer erred in not finding that the
15 Director had erred in not finding that this criterion was met.

16 M. The Hearings Officer erred by finding that the proposed parking area is not
17 either a permitted use or a use permitted subject to review or an accessory use in the CFU
18 zoning district. Further, the Hearings Officer erred by finding that the applicant did not raise
19 the issue of whether the parking area was too large to be customarily accessory to a residential
20 dwelling. The Hearings Officer has exceeded her authority by so narrowly defining the scope
21 of the argument as to deny the applicant a reasonable opportunity for de novo hearing as
22 provided for in ORS chapter 215. Further, the Hearings Officer erred in footnote 3 by
23 attempting to distinguish between "a parking lot" and the "Bowen parking lot." It is clear that
24 only the Bowen parking lot was before the Hearings Officer in this matter. Further, the
25 Hearings Officer erred on page 6 by asserting that the applicant had proposed 37 to 43 parking
26 spaces. Nowhere in the applicants' proposal is such a number of parking spaces requested.

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1 The applicants' testimony and argument are clear that the revised parking lot plan relates to
2 about ten parking spaces that are intended to replace 10 parking spaces previously authorized
3 by the County in a different location. Further, the Hearings Officer erred by finding that the
4 appeal did not include a site plan for the proposed use. Had the Hearings Officer reviewed the
5 site plan, she would have found that the proposal requested parking only in the parking lot
6 adjacent to the sport court (in addition to that already approved in the garage, the garage
7 apron, but as a substitute for parking spots adjacent to circular driveway). The Hearings
8 Officer also erred by concluding that no evidence regarding the amount, location, or type of
9 parking arrangement for other single family residences was presented. In fact, the record is
10 replete with evidence relating to the amount of parking on two adjacent single family lots.
11 Further, the Hearings Officer erred on page 7 of her decision by implying that the applicant
12 could not submit evidence regarding the correctness of the Director's decision to the Hearings
13 Officer. The applicant has a right to a de novo hearing at which new evidence may be
14 presented and the Hearings Officer's disregard for this evidence violates that right established
15 in ORS 215.416(11)(a). The Notice of Intent to appeal contained sufficient information to
16 alert the County to the criteria and issues being appealed by the applicants. Argument and
17 evidence supporting and relating to the challenged issues and criteria are then to be presented
18 at the de novo hearing guaranteed as a matter of right by ORS 215.416(11)(a). The Oregon
19 Court of Appeals recently confirmed that right in Dept. of Transportation v. City of Mosier,
20 161 Or App 252, 1999 WL 459796 (Or. App.) In that case, the court states:

21 "Although there are some provisions in ORS 197.763, ORS
22 215.402 et seq., and ORS 227.160 et seq. that confer certain
23 implementing options on cities, counties or both, the overriding purpose
24 of the statutes generally and of the quasi-judicial hearing provisions they
25 contain in particular is to impose requirements on the local governments.

26 * * * The statutory provisions establishing quasi-judicial procedures in

1 connection with applications for permits and other applications that [the
2 petitioner] describes are not a statutory conferral of authority on cities or
3 counties but a state legislative mandate with which they are required to
4 comply.”

5 Hence, the court recognized that quasi-judicial procedures such as the one conducted by the
6 County in this instance are subject to ORS 215.416(11)(a) and a de novo hearing is required.
7 The Hearings Officer erred in not considering evidence and argument supporting the issues
8 raised in the Notice of Appeal. The Hearings Officer’s decision also violates ORS 215.416(8)
9 by affirming the Director’s decision which relied on standards and criteria outside of the
10 zoning ordinance for this application.

11 N. The Hearings Officer erred by finding that the purpose statement of the
12 commercial forestry zoning district is an approval criterion. The Hearings Officer erred in
13 finding that ORS 197.829(1) is applicable because this section applies only to interpretation
14 and no interpretation was offered in the Director’s decision. The Hearings Officer erred in
15 finding that the use restrictions are relevant approval criteria where they are not listed in the
16 approval criteria.

17 O. The Hearings Officer erred by finding that the Director did not apply minimum
18 parking standards of the approval criterion. The Director erred and the Hearings Officer
19 perpetuated the error by finding that exceeding the minimum number of parking spaces is a
20 violation or a reason to deny a request for additional parking spaces. The Multnomah County
21 Code establishes only minimum parking spaces; it does not establish a maximum number of
22 parking spaces. Further, the Hearings Officer ignored substantial evidence that the requested
23 number of parking spaces was accessory and customarily incidental to the use of the single
24 family residence.

25 P. The Hearings Officer erred by applying the 1995 GEC permit as an approval
26 criterion for this application. The Hearings Officer erred by finding that the Bowens could not

1 modify that approval through this application since both Ms. Estrin and Mr. Tokos suggested
2 that modification and the county's enforcement section expressly provides for this remedy.
3 Further, there is no need to directly amend the conditions of the 1995 GEC permit where a
4 subsequent permit amends by operation elements of that approval. Further, the Hearings
5 Officer erred by applying the 1995 GEC permit conditions as approval criteria or by finding
6 that they may not be modified in this application. The Hearings Officer also erred by ignoring
7 substantial evidence that wildlife on the property are not adversely impacted by this application
8 since Ms. Bowen testified that wildlife walked across the parking lot and there was no
9 substantial evidence to the contrary. Further, the Hearings Officer erred by finding that the
10 applicants are "bound to honor their legal obligation to revegetate the area that is proposed for
11 development in the pending SEC application." This application seeks to modify that 1995
12 approval through a subsequent approval and would relieve the Bowens of this obligation
13 which, in fact, is not now required under the relevant MCC provisions. Further, the Hearings
14 Officer ignored all of the argument and substantial evidence regarding whether this area is a
15 non-cleared area, whether more than one acre may be cleared, and whether these uses are
16 permitted in a non-cleared area. Further, the Hearings Officer erred in her analysis of MCC
17 11.15.905(2)(B) because she incorrectly found that the permit requested did not correct the
18 land use violation. Further the Hearings Officer erred by finding that the December 2, 1998
19 letter from Mr. Tokos did not state that the applicants could correct the violation through a
20 significant environmental concern application. The Director's analysis and the Hearings
21 Officer's decision are in error because it clearly provided these options to the Bowens in
22 writing and these options are provided in the MCC.

23 Q. The Hearings Officer erred by finding that the applicant did not raise in the
24 Notice of Appeal of the Director's Decision MCC 11.15.6426(B)(1) and (C)(1). This issue
25 involves how much notice is required. As the Hearings Officer herself said at the hearing, the
26 notice of review requirement is merely a notice issue. The Hearings Officer has misread the

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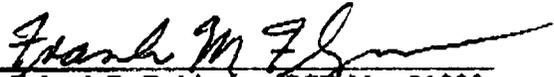
1 MCC provision requiring the notice of review as reason; a reason can be that the Director
2 erred and additional argument and evidence is allowed in a de novo hearing. For purposes of
3 this appeal, the appellants herein incorporate by reference arguments and evidence submitted to
4 the Director and the Hearings Officer on these MCC provisions.

5 R. The Hearings Officer erred for the same reasons above by finding that the
6 appellants did not raise MCC 11.15.6420(C). The appellants herein incorporate by reference
7 the argument and evidence submitted to the Director and the Hearings Officer on this criterion.

8 S. The Hearings Officer erred by finding that the 1995 permit is relevant to this
9 application when the CFU zoning district and requirements for an SEC permit have changed
10 since then. Finally, the Hearings Officer erred by failing to consider all of the argument in
11 evidence before her as is required by ORS 215.416(4) (imposing conditions authorized by
12 county legislation and applying only the county comprehensive plan and applicable land use
13 regulations), ORS 215.416(5) (failing to conduct the hearing in conformance with the
14 provisions of ORS 197.763 by failing to consider issues raised with sufficient specificity),
15 ORS 215.416(8) (considering criteria other than those contained in the applicable land use
16 regulations), and ORS 215.416(11)(a) (failing to conduct her hearing as a de novo hearing and
17 excluding relevant argument and evidence thereby prejudicing the appellants' substantial rights
18 to a full and fair hearing and an opportunity to make their case in a de novo hearing).

19 Submitted this 1st of October, 1999.

20 STOEL RIVES LLP

21
22 By: 
23 Michael C. Robinson, OSB No. 91090
24 Frank M. Flynn, OSB No. 92306
25 Of Attorneys for Appellants Walter and
26 Janet Bowen

STOEL RIVES LLP

ATTORNEYS

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October 4, 1999

MICHAEL C. ROBINSON
Direct Dial
(503) 294-9194
email mrobinson@stoel.com

VIA FACSIMILE

Mr. Derrick I. Tokos, Planner
Multnomah County
Department of Environmental Services
Transportation and Land Use Division
1600 SW 190th Avenue
Portland, OR 97233

Re: Multnomah County Permit No. SEC 39-98

Dear Derrick:

This office represents the applicant. On behalf of the applicant, I hereby extend the 150-day provision in ORS 215.428(1) through December 23, 1999, inclusive, on the condition that the County holds the public hearing on December 9, 1999. If the Board of County Commissioners determines to hold the public hearing on the Bowen appeal on another date, I will adjust the extension of the 150-day clock accordingly. If the County holds the hearing on October 7, 1999, no extension is granted by this letter.

Please confirm in writing that the appeal hearing will be scheduled on December 9, 1999. This extension of the 150-day clock is based on my discussions with you and Jeff Litwak on Friday, October 1. As always, I appreciate your courtesy and assistance in this matter.

Very truly yours,

Michael C. Robinson

MCR:ipc

- cc: Mr. Walt Bowen (via facsimile)
- Mr. Ian Sinks (via facsimile)
- Mr. Steve Shapiro (via facsimile)
- Mr. Jeff Litwak (via facsimile)
- Mr. Frank Flynn

✓ Done
10/8/99
MCR

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