



MULTNOMAH COUNTY OREGON

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

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

AGENDA OF
MEETINGS OF THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS
FOR THE WEEK OF
July 24 - 28, 1989

Tuesday, July 25, 1989 - 9:30 AM - Planning Items . . . Page 2
Tuesday, July 25, 1989 - 1:30 PM - Informal Meeting . . Page 3
Thursday, July 27, 1989 - 9:30 AM - Formal. Page 4
Friday, July 28, 1989 - 8:00 AM - Policy Development Committee

-2-

Tuesday, July 25, 1989 - 9:30 AM
Multnomah County Courthouse, Room 602

INFORMAL BRIEFINGS

1. Update on Columbia Villa - Norm Monroe, Rod Englert

PUBLIC TESTIMONY WILL NOT BE TAKEN AT INFORMAL MEETINGS

Tuesday, July 25, 1989 - 1:30 PM

Multnomah County Courthouse, Room 602

INFORMAL

1. Informal Review of Bids and Requests for Proposals:
a) Asphalt Concrete Pavement Overlay
2. Informal Review of Formal Agenda of July 27
3. Update on Nehemiah Grant Application - Don Neureuther (NECDC), Larry Baxter and Ramsey Weit
4. Request to direct the County Chair to write a letter to the Governor urging that he approve SB 245 which would allow counties discretion in issuing tax refunds less than \$25 - Janice Druian
5. Further Policy consideration of Charitable Solicitations Task Force Report in light of memos from Barbara Simon and Commissioner Anderson - Commissioner Anderson

PUBLIC TESTIMONY WILL NOT BE TAKEN AT INFORMAL MEETINGS

Thursday, July 27, 1989, 9:30 AM

Multnomah County Courthouse, Room 602

Formal Agenda

DEPARTMENT OF ENVIRONMENTAL SERVICES

REGULAR AGENDA

BOARD OF COUNTY COMMISSIONERS

- R-1 Hearing - Order in the Matter of the Reassessment of the Benefits in Multnomah County Drainage District No. 1

DEPARTMENT OF JUSTICE SERVICES

- R-2 Liquor License applications submitted by Sheriff's Office with recommendation that same be approved as follows: Chili Bowl, 16900 NW St. Helens Road (RMB - change of ownership and name to Maxine's); Quick Stop Market, 15400 SE Powell Blvd. (Package Store - change of ownership)

PUBLIC CONTRACT REVIEW BOARD

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

- R-3 Order in the Matter of Exempting From Public Bidding of the Upgrade of Elections Division's EIMS Computer System through contract with DFM Associates

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

BOARD OF COUNTY COMMISSIONERS

- R-4 Resolution in the Matter of Supporting the Concept of the Chinook Trail System in the Columbia River Gorge National Scenic Area

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

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

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

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

Friday, July 28, 1989

Policy Development Committee

TIME: 8:00 AM

PLACE: TO BE DETERMINED - likely place will be the World Trade Center II, Riverview Room, 121 SW Salmon - Call John Cronise, Multnomah County Planning & Budget, 248-3883, for exact location

Agenda: Human Services issues

REQUEST UNANIMOUS CONSENT TO CONSIDER THE FOLLOWING MATTER:

DEPARTMENT OF GENERAL SERVICES

- R-5 Resolution in the Matter of the Approving of the issuance and negotiated sale of \$6,606,046.85 Series 1989A Certificates of Participation; approving and authorizing the Certificate Purchase Agreement, the Lease-Purchase and Escrow Agreement, and the Preliminary Official Statement and Official Statement; and designating an Authorized Officer

PLANNING & DEVELOPMENT

- R-6 In the matter of rescheduling Case LD 4-89 from August 8 to August 15, 1989, at 9:30 AM in Room 602 of the Multnomah County Courthouse, with the hearing to be held on the record with oral arguments not to exceed 10 minutes per side

0500C.26



MULTNOMAH COUNTY OREGON

7/27/89
Inf PM #1

DEPARTMENT OF GENERAL SERVICES
PURCHASING SECTION
2505 S.E. 11TH AVENUE
PORTLAND, OREGON 97202
(503) 248-5111

GLADYS McCOY
COUNTY CHAIR

MEMORANDUM

TO: Jane McGarvin, Clerk of the Board
FROM: Lillie M. Walker, Director, Purchasing Section
DATE: July 20, 1989
RE: FORMAL BIDS AND REQUESTS FOR PROPOSALS SCHEDULED FOR INFORMAL BOARD

The following Formal Bids and/or Professional Services Request for Proposals (RFPs) are being presented for Commissioners' review.

BOARD OF COUNTY COMMISSIONERS
1989 JUL 20 AM 11:18
MULTNOMAH COUNTY OREGON

BID/RFP NO.	TITLE/DESCRIPTION	INITIATING DEPARTMENT
B61-250-4021	Title: ASPHALT CONCRETE PAVEMENT OVERLAY (Job No. 9-3) Description: Asphalt Concrete Overlays on SE Stark, NE Woodard Rd, NE Mershan Rd, and SE Oxbow Rd. Est. Cost Range: \$175K-\$225K	DES/Transportation Buyer: Larry Weaver Phone: 248-5111 Contact: Roy Morrison Phone: x5050
	Title: Description:	Buyer: Phone: Contact: Phone:
	Title: Description:	Buyer: Phone: Contact: Phone:

cc: Gladys McCoy, County Chair
Board of County Commissioners
Linda Alexander, Director, DGS

Copies of the bids and RFPs are available from the Clerk of the Board.

TO: DAILY JOURNAL OF COMMERCE

Please run the following Classified Advertisement as indicated below, under your CALL FOR BIDS section

MULTNOMAH COUNTY

Asphalt Concrete Pavement Overlay, various NE & SE streets (Job No. 9-3)

Bids Due August 10, 1989 at 2:00 P.M.
Bid No. B61-250-4021

Sealed bids will be received by the Director of Purchasing, Multnomah County Purchasing Section, 2505 S.E. 11th Ave., Portland, OR 97202 for:

Asphalt Concrete Pavement Overlay on SE Stark, NE Woodard Road, NE Mershan Road, and SE Oxbow Road.

Plans and Specifications are filed with the Purchasing Director and copies may be obtained from the above address for a \$5.00 non-refundable fee. **CHECKS AND MONEY ORDERS ONLY.** Plans and Specifications will not be mailed within the Tri-County area.

PREBID CONFERENCE: NONE

PREQUALIFICATION OF BIDDERS Pursuant to the Multnomah County Public Contract Review Board Administrative Rules (AR 40.030) Prequalification shall be required for this project for the following class(es) of work: Asphalt Concrete Pavement and Oiling - Highways, Roads, Streets and Airport Runways.

Prequalification applications or statements must be prepared during the period of one year prior to the bid date. Prequalification application and proof of prequalification by the Oregon Department of Transportation must be actually received or postmarked to Multnomah County Purchasing Section by not later than 10 days prior to bid opening.

All bidders must comply with the requirements of the prevailing wage law in ORS 279.350.

Details of compliance are available from the Purchasing Section, Department of General Services, 2505 S.E. 11th Avenue, Portland, OR 97202, (503) 248-5111.

Contractors and subcontractors must be licensed for asbestos abatement work if the project involves working with asbestos.

NONDISCRIMINATION Bidders on this work will be required to comply with the provisions of Federal Executive Order 11246. The requirements for Bidders and Contractors are explained in the Specifications.

No proposal will be considered unless accompanied by a check payable to Multnomah County, certified by a responsible bank, or in lieu thereof, a surety bond for an amount equal to ten percent (10%) of the aggregate proposal. The successful bidder shall furnish a bond satisfactory to the Board in the full amount of the contract.

Multnomah County reserves the right to reject any or all bids.

LILLIE WALKER, DIRECTOR
PURCHASING SECTION

Publish July 20, 21, 24, 1989

TO: OBSERVER

Please run the following Classified Advertisement as indicated below, under your CALL FOR BIDS section

MULTNOMAH COUNTY

Asphalt Concrete Pavement Overlay, various NE & SE streets (Job No. 9-3)

Bids Due August 10, 1989 at 2:00 P.M.
Bid No. B61-250-4021

Sealed bids will be received by the Director of Purchasing, Multnomah County Purchasing Section, 2505 S.E. 11th Ave., Portland, OR 97202 for:
Asphalt Concrete Pavement Overlay on SE Stark, NE Woodard Road, NE Mershan Road, and SE Oxbow Road.

Plans and Specifications are filed with the Purchasing Director and copies may be obtained from the above address for a \$5.00 non-refundable fee. **CHECKS AND MONEY ORDERS ONLY.** Plans and Specifications will not be mailed within the Tri-County area.

PREBID CONFERENCE: NONE

PREQUALIFICATION OF BIDDERS Pursuant to the Multnomah County Public Contract Review Board Administrative Rules (AR 40.030) Prequalification shall be required for this project for the following class(es) of work: Asphalt Concrete Pavement and Oiling - Highways, Roads, Streets and Airport Runways.

Prequalification applications or statements must be prepared during the period of one year prior to the bid date. Prequalification application and proof of prequalification by the Oregon Department of Transportation must be actually received or postmarked to Multnomah County Purchasing Section by not later than 10 days prior to bid opening.

All bidders must comply with the requirements of the prevailing wage law in ORS 279.350.

Details of compliance are available from the Purchasing Section, Department of General Services, 2505 S.E. 11th Avenue, Portland, OR 97202, (503) 248-5111.

Contractors and subcontractors must be licensed for asbestos abatement work if the project involves working with asbestos.

NONDISCRIMINATION Bidders on this work will be required to comply with the provisions of Federal Executive Order 11246. The requirements for Bidders and Contractors are explained in the Specifications.

No proposal will be considered unless accompanied by a check payable to Multnomah County, certified by a responsible bank, or in lieu thereof, a surety bond for an amount equal to ten percent (10%) of the aggregate proposal. The successful bidder shall furnish a bond satisfactory to the Board in the full amount of the contract.

Multnomah County reserves the right to reject any or all bids.

LILLIE WALKER, DIRECTOR
PURCHASING SECTION

Publish Week of July 24, 1989

DATE SUBMITTED 7-18-89

(For Clerk's Use)
Meeting Date 7/25/89
Agenda No. Subpm #3

REQUEST FOR PLACEMENT ON THE AGENDA

Subject: Update on Nehemiah Grant Application

Informal Only* 7-25-89 (1:30 pm) Formal Only _____
(Date) (Date)

DEPARTMENT Non-Departmental DIVISION BCC

CONTACT Ramsay Weit TELEPHONE 5275

*NAME(S) OF PERSON MAKING PRESENTATION TO BOARD Don Neureuther (NECDC), Larry Baxter, Ramsay Weit

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

Update on Nehemiah Grant Application (attachment 4 pages)

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

ACTION REQUESTED:

INFORMATION ONLY PRELIMINARY APPROVAL POLICY DIRECTION APPROVAL

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA 20 minutes

IMPACT:

PERSONNEL

FISCAL/BUDGETARY

-General Fund

Other _____

SIGNATURES:

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: *C. Weit* *R. Weit*

BUDGET / PERSONNEL _____ / _____

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) _____

OTHER _____
(Purchasing, Facilities Management, etc.)

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

1989 JUL 18 PM 2:58
MULTIPLIANT COUNTY
OREGON
COUNTY COMMISSIONER

NORTH/NORTHEAST PORTLAND PROPERTIES ALREADY DEEDED TO MULTNOMAH COUNTY THROUGH TAX FORECLOSURE

<u>NEIGHBORHOOD</u>	<u>PROPERTY</u>	<u>MARKET VALUE</u>	<u>MINIMUM ACCEPTABLE BID</u>	<u>JUDGEMENT AND DECREE</u>	<u>PENALTY</u>	<u>MAINTENANCE EXPENSE</u>	<u>ORDINANCE 577/613 LIABILITY</u>	<u>DIFFERENCE</u>
BOISE	VAC/S OF 3964 N MICHIGAN	\$ 4,600.00	\$ 2,300.00	\$ 959.34	\$ 19.19	\$ 0.00	\$ 978.54	\$ 1,321.46
	VAC/S OF 3648 N MICHIGAN	\$ 3,200.00	\$ 1,600.00	\$ 634.08	\$ 12.68	\$ 770.85	\$ 1,417.61	\$ 182.39
	VAC/N OF 3634 N ALBINA	\$ 3,200.00	\$ 1,600.00	\$ 723.39	\$ 14.47	\$ 0.00	\$ 737.87	\$ 862.13
	RES/4415 N KERBY, PORTLAND	\$ 25,700.00	\$ 12,850.00	\$ 1,881.71	\$ 37.63	\$ 2,033.05	\$ 3,952.40	\$ 8,897.60
	VAC/FORMER 3815-3819 NE UNION	\$ 6,100.00	\$ 3,050.00	\$ 775.73	\$ 38.79	\$ 8.08	\$ 822.61	\$ 2,227.39
	VAC/FORMER 3726 NE ALBINA	\$ 4,500.00	\$ 2,250.00	\$ 1,461.28	\$ 73.06	\$ 408.32	\$ 1,942.67	\$ 307.33
	RES/3813 NE CLEVELAND	\$ 23,600.00	\$ 11,800.00	\$ 2,379.40	\$ 118.97	\$ 806.46	\$ 3,304.83	\$ 8,495.17
	VAC/S OF 4134 N HAIGHT	\$ 7,400.00	\$ 3,700.00	\$ 530.94	\$ 26.55	\$ 181.33	\$ 738.83	\$ 2,961.17
	RES/126 NE MASON ST	\$ 19,600.00	\$ 9,800.00	\$ 3,139.49	\$ 156.97	\$ 765.32	\$ 4,061.78	\$ 5,738.22
	RES/4070 N VANCOUVER	\$ 22,800.00	\$ 11,400.00	\$ 2,952.40	\$ 147.62	\$ 432.00	\$ 3,532.03	\$ 7,867.97
	VAC/S OF 4512 N COMMERCIAL	\$ 6,000.00	\$ 3,000.00	\$ 596.56	\$ 29.83	\$ 776.00	\$ 1,402.40	\$ 1,597.60
	VAC/N OF 4506 N GANTENBEIN	\$ 6,500.00	\$ 3,250.00	\$ 609.29	\$ 30.46	\$ 220.00	\$ 859.76	\$ 2,390.24
	VAC/S OF 4038 NE RODNEY	\$ 7,400.00	\$ 3,700.00	\$ 758.34	\$ 37.92	\$ 188.00	\$ 984.27	\$ 2,715.73
	VAC/FORMER 3966-3970 N ALBINA	\$ 30,000.00	\$ 15,000.00	\$ 4,624.41	\$ 231.22	\$38,229.16	\$43,084.79	-\$ 28,084.79
VAC/FORMER 3950 NE MICHIGAN	\$ 4,000.00	\$ 2,000.00	\$ 2,788.03	\$ 139.40	\$ 432.25	\$ 3,359.68	-\$ 1,359.68	
ELIOT	VAC/EAST OF 77 NE COOK	\$ 5,500.00	\$ 2,750.00	\$ 814.61	\$ 16.29	\$ 342.46	\$ 1,173.36	\$ 1,576.64
	VAC/E OF 504 NE GRAHAM	\$ 4,500.00	\$ 2,250.00	\$ 1,167.95	\$ 58.40	\$ 360.00	\$ 1,586.35	\$ 663.65
	VAC/E OF 66-70 NE TILLAMOOK	\$ 800.00	\$ 400.00	\$ 390.13	\$ 19.51	\$ 217.02	\$ 626.66	-\$ 226.66

NORTH/NORTHEAST PORTLAND PROPERTIES ALREADY DEEDED TO MULTNOMAH COUNTY THROUGH TAX FORECLOSURE, PAGE 2.

<u>NEIGHBORHOOD</u>	<u>PROPERTY</u>	<u>MARKET VALUE</u>	<u>MINIMUM ACCEPTABLE BID</u>	<u>JUDGEMENT AND DECREE</u>	<u>PENALTY</u>	<u>MAINTENANCE EXPENSE</u>	<u>ORDINANCE 577/613 LIABILITY</u>	<u>DIFFERENCE</u>
ELIOT	VAC/FORMER 217 NE SACRAMENTO	\$ 7,500.00	\$ 3,750.00	\$ 573.50	\$ 28.68	\$ 220.00	\$ 822.19	\$ 2,927.81
	VAC/FORMER 17 NE SAN RAFAEL	\$ 4,300.00	\$ 2,150.00	\$ 2,734.66	\$ 136.73	\$ 220.68	\$ 3,092.07	-\$ 942.07
	VAC/FORMER 33 NE IVY	\$ 9,000.00	\$ 4,500.00	\$ 1,751.59	\$ 87.58	\$ 266.18	\$ 2,105.36	\$ 2,394.64
	VAC/FORMER 221 NE MONROE	\$ 2,800.00	\$ 1,400.00	\$ 2,122.68	\$ 106.13	\$ 398.35	\$ 2,627.17	-\$ 1,227.17
	RES/541 NE KNOTT	\$ 22,200.00	\$ 11,100.00	\$ 3,648.62	\$ 182.43	\$ 336.00	\$ 4,167.05	\$ 6,932.95
	VAC/FORMER 77 NE TILLAMOOK	\$ 7,000.00	\$ 3,500.00	\$ 661.49	\$ 33.07	\$ 88.00	\$ 782.56	\$ 2,717.44
	VAC/E OF 301 NE MORRIS	\$ 23,900.00	\$ 11,950.00	\$ 2,996.14	\$ 149.81	\$ 724.31	\$ 3,870.27	\$ 8,079.73
HUMBOLDT	RES/634 N BLANDENA	\$ 26,400.00	\$ 13,200.00	\$ 3,316.02	\$ 165.80	\$ 0.00	\$ 3,481.82	\$ 9,718.18
KING	VAC/NE 9TH, S OF 870 NE ROSELAWN	\$ 3,700.00	\$ 1,850.00	\$ 123.02	\$ 2.46	\$ 488.00	\$ 594.11	\$ 1,255.89
	VAC/NE 9TH, N OF 833-39 NE FAILING	\$ 3,200.00	\$ 1,600.00	\$ 454.88	\$ 9.10	\$ 0.00	\$ 463.98	\$ 1,136.02
	VAC/W OF 440 NE ROSELAWN	\$ 1,500.00	\$ 750.00	\$ 288.42	\$ 14.42	\$ 80.00	\$ 382.84	\$ 367.16
	VAC/FORMER 4841 NE 12TH	\$ 5,500.00	\$ 2,750.00	\$ 603.27	\$ 18.20	\$ 120.00	\$ 741.48	\$ 2,008.52
	VAC/FORMER 3607 NE 8TH	\$ 6,500.00	\$ 3,250.00	\$ 656.19	\$ 32.81	\$ 236.93	\$ 925.94	\$ 2,324.06
	VAC/FORMER 3973 NE 10TH	\$ 4,600.00	\$ 2,300.00	\$ 1,603.45	\$ 80.17	\$ 968.37	\$ 2,651.99	-\$ 351.99
	RES/4504 NE CLEVELAND	\$ 27,300.00	\$ 13,650.00	\$ 2,495.62	\$ 124.78	\$ 90.75	\$ 2,711.15	\$ 10,938.85
	VAC/FORMER 4036 NE 8TH	\$ 1,622.10	\$ 811.08	\$ 2,256.24	\$ 112.81	\$ 6,500.00	\$ 8,869.05	-\$ 8,057.96
	VAC/FORMER 4803 NE GRAND	\$ 6,300.00	\$ 3,150.00	\$ 2,419.32	\$ 118.94	\$ 90.75	\$ 2,629.02	\$ 520.98
	VAC/FORMER 532 NE GOING	\$ 8,400.00	\$ 4,200.00	\$ 2,809.72	\$ 139.43	\$ 764.48	\$ 3,713.64	\$ 486.36

NORTH/NORTHEAST PORTLAND PROPERTIES ALREADY DEEDED TO MULTNOMAH COUNTY THROUGH TAX FORECLOSURE, PAGE 3.

<u>NEIGHBORHOOD</u>	<u>PROPERTY</u>	<u>MARKET VALUE</u>	<u>MINIMUM ACCEPTABLE BID</u>	<u>JUDGEMENT AND DECREE</u>	<u>PENALTY</u>	<u>MAINTENANCE EXPENSE</u>	<u>ORDINANCE 577/613 LIABILITY</u>	<u>DIFFERENCE</u>
KING	VAC/S OF 4404 NE 11TH AVE	\$ 6,000.00	\$ 3,000.00	\$ 503.31	\$ 25.17	\$ 849.00	\$ 1,377.49	\$ 1,622.51
	RES/4905 NE CLEVELAND	\$ 22,100.00	\$ 11,050.00	\$ 3,392.63	\$ 169.63	\$ 602.80	\$ 4,165.07	\$ 6,884.93
	RES/4316 NE 11TH	\$ 20,000.00	\$ 10,000.00	\$ 2,844.75	\$ 142.24	\$ 1,537.58	\$ 4,524.57	\$ 5,475.43
	COM/1144 NE PRESCOTT	\$ 14,800.00	\$ 7,400.00	\$ 1,708.22	\$ 85.41	\$ 920.73	\$ 2,714.36	\$ 4,685.64
	RES/534 NE ROSELAWN	\$ 17,800.00	\$ 8,900.00	\$ 2,490.06	\$ 124.50	\$ 748.55	\$ 3,363.12	\$ 5,536.88
	VAC/W OF 1217 NE SUMNER	\$ 5,100.00	\$ 2,550.00	\$ 546.71	\$ 27.34	\$ 103.50	\$ 677.56	\$ 1,872.44
	RES/835 NE JESSUP	\$ 22,600.00	\$ 11,300.00	\$ 3,093.75	\$ 154.69	\$ 371.28	\$ 3,619.72	\$ 7,680.28
	RES/5711 NE 9TH	\$ 50,300.00	\$ 25,150.00	\$ 6,729.22	\$ 336.46	\$ 1,136.85	\$ 8,202.54	\$ 16,947.46
	RES/3623 NE 6TH	\$ 16,500.00	\$ 8,250.00	\$ 2,151.64	\$ 107.58	\$ 510.96	\$ 2,770.18	\$ 5,479.82
	VAC/FORMER 4046 NE 7TH	\$ 7,000.00	\$ 3,500.00	\$ 2,923.36	\$ 146.17	\$ 60.00	\$ 3,138.54	\$ 361.46
	VAC/FORMER 3953 NE 10TH	\$ 6,200.00	\$ 3,100.00	\$ 2,867.56	\$ 143.38	\$ 525.68	\$ 3,536.63	-\$ 436.63
	VAC/W OF 726 NE ROSELAWN	\$ 2,700.00	\$ 1,350.00	\$ 499.15	\$ 24.96	\$ 0.00	\$ 524.12	\$ 825.88
	VAC/E OF 625 NE CHURCH	\$ 5,000.00	\$ 2,500.00	\$ 814.45	\$ 0.00	\$ 0.00	\$ 814.45	\$ 1,685.55
SABIN	VAC/NE FAILING, W OF 3911 NE 11TH	\$ 6,500.00	\$ 3,250.00	\$ 466.74	\$ 9.33	\$ 380.00	\$ 856.07	\$ 2,393.93
	VAC/FORMER 4206 NE 10TH	\$ 6,500.00	\$ 3,250.00	\$ 722.30	\$ 36.12	\$ 387.71	\$ 1,146.14	\$ 2,103.86
VERNON	VAC/S OF 5410 NE 16TH	\$ 6,900.00	\$ 3,450.00	\$ 593.68	\$ 29.68	\$ 0.00	\$ 623.36	\$ 2,826.64
	RES/4825 NE 16TH	\$ 35,300.00	\$ 17,650.00	\$ 4,129.03	\$ 206.45	\$ 1,487.42	\$ 5,822.91	\$ 11,827.09
	VAC/FORMER 4833 NE 14TH PL	\$ 6,000.00	\$ 3,000.00	\$ 3,203.36	\$ 101.18	\$ 3,289.14	\$ 6,593.68	-\$ 3,593.68
54 PROPERTIES		----- \$ 614,422.17	----- \$ 307,211.08	----- \$98,382.09	----- \$ 4,622.60	----- \$ 70,674.30	----- \$173,668.64	----- \$133,542.44

NORTH/NORTHEAST PORTLAND TAX FORECLOSED PROPERTIES SOLD BY MULTNOMAH COUNTY SINCE MAY 29, 1986

<u>NEIGHBORHOOD</u>	<u>PROPERTY</u>	<u>MARKET VALUE</u>	<u>MINIMUM ACCEPTABLE BID</u>	<u>JUDGEMENT AND DECREE</u>	<u>PENALTY</u>	<u>ORDINANCE 577/613 LIABILITY</u>	<u>SALE PRICE</u>	<u>DIFFERENCE</u>	<u>SALE DATE</u>
SABIN	1033 NE BEECH	\$ 1,100.00	\$ 825.00	\$ 2,037.08	\$ 40.74	\$ 2,077.82	\$ 3,100.00	\$ 1,022.18	MAY 29, 1986
KING	4609 NE GARFIELD	\$ 12,000.00	\$ 9,000.00	\$ 1,185.67	\$ 23.71	\$ 1,209.38	\$ 9,000.00	\$ 7,790.62	MAY 29, 1986
VERNON	5316 NE 17TH AVE	\$ 11,000.00	\$ 8,250.00	\$ 1,837.95	\$ 36.76	\$ 1,874.71	\$ 8,250.00	\$ 6,375.29	MAY 29, 1986
KING	4021 NE UNION AVE	\$ 19,400.00	\$ 9,700.00	\$ 1,437.27	\$ 28.75	\$ 1,466.02	\$ 9,700.00	\$ 8,233.98	JUNE 4, 1987
BOISE	3617 N COMMERCIAL AVE	\$ 7,400.00	\$ 3,700.00	\$ 1,803.48	\$ 36.07	\$ 1,839.55	\$ 3,700.00	\$ 1,860.45	JUNE 4, 1987
KING	NE AINSWORTH, E OF 6TH	\$ 10,000.00	\$ 5,000.00	\$ 1,096.43	\$ 21.93	\$ 1,118.36	\$ 5,000.00	\$ 3,813.64	JUNE 4, 1987
KING	N OF 3802 NE UNION AVE	\$ 7,700.00	\$ 3,850.00	\$ 1,016.98	\$ 20.34	\$ 1,037.32	\$ 3,850.00	\$ 2,812.68	JUNE 4, 1987
HUMBOLDT	3733 N MICHIGAN AVE	\$ 7,000.00	\$ 3,500.00	\$ 1,933.34	\$ 38.67	\$ 1,972.01	\$ 3,500.00	\$ 1,527.99	JUNE 4, 1987
VERNON	5319 NE 16TH AVE	\$ 10,100.00	\$ 5,050.00	\$ 1,893.35	\$ 37.87	\$ 1,931.22	\$ 5,050.00	\$ 3,118.78	JUNE 4, 1987
VERNON	4727 NE 15TH AVE	\$ 8,500.00	\$ 4,250.00	\$ 2,485.17	\$ 49.70	\$ 2,534.87	\$ 4,250.00	\$ 1,715.13	JUNE 4, 1987
BOISE	3424 N COMMERCIAL AVE	\$ 2,500.00	\$ 1,250.00	\$ 1,184.34	\$ 23.69	\$ 1,208.03	\$ 2,600.00	\$ 1,391.97	JUNE 4, 1987
BOISE	3734 N VANCOUVER AVE	\$ 8,500.00	\$ 4,250.00	\$ 3,694.30	\$ 184.72	\$ 3,879.02	\$ 7,600.00	\$ 3,720.98	MAY 24, 1989
KING	4128 NE UNION AVE	\$ 42,000.00	\$ 21,000.00	\$ 2,236.40	\$ 111.82	\$ 2,348.22	\$ 21,000.00	\$18,651.78	MAY 24, 1989
BOISE	3529 N MICHIGAN AVE	\$ 7,500.00	\$ 3,750.00	\$ 1,796.44	\$ 89.82	\$ 1,886.26	\$ 8,700.00	\$ 6,813.74	MAY 24, 1989
KING	1206 NE SUMNER ST	\$ 11,000.00	\$ 5,500.00	\$ 1,637.05	\$ 81.85	\$ 1,718.90	\$ 13,700.00	\$11,981.10	MAY 24, 1989
KING	220 NE COOK ST	\$ 12,500.00	\$ 6,250.00	\$ 3,548.77	\$ 177.44	\$ 3,726.21	\$ 16,400.00	\$12,673.79	MAY 24, 1989
16 PROPERTIES		\$ 178,200.00	\$ 100,625.00	\$ 30,824.02	\$ 1,003.88	\$ 31,827.86	\$125,400.00	\$93,573.14	

ATTACH

DATE SUBMITTED July 20, 1989

(For Clerk's Use)
Meeting Date 7/25/89
Agenda No. July Pm #4

REQUEST FOR PLACEMENT ON THE AGENDA

Subject: SB 245

Informal Only* July 25, 1989
(Date)

Formal Only _____
(Date)

DEPARTMENT General Services DIVISION A & T

CONTACT Janice Druian TELEPHONE 248-3345

*NAME(S) OF PERSON MAKING PRESENTATION TO BOARD _____

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

Directing the Chair to write a letter to the Governor urging that he approve SB 245 which would allow counties discretion in issuing of tax refunds less than \$25.

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

ACTION REQUESTED:

INFORMATION ONLY PRELIMINARY APPROVAL POLICY DIRECTION RATIFICATION

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA _____

IMPACT:

PERSONNEL

FISCAL/BUDGETARY

General Fund

Other _____

SIGNATURES:

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

BUDGET / PERSONNEL _____ / _____

COUNTY COUNSEL (Ordinances, Resolution, Agreements, Contracts) _____

OTHER _____
(Purchasing, Facilities Management, etc.)

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

BOARD OF
COUNTY COMMISSIONERS
1989 JUL 20 AM 10:06
DEPARTMENT OF
OREGON

MEMORANDUMRECEIVED
JUL 17 1989

TO: Linda Alexander
FROM: Janice Druian *JMD*
DATE: July 14, 1989
SUBJECT: Senate Bill 245; Tax Collection and Refunds

DEPARTMENT OF GENERAL SERVICES
DIRECTORS OFFICE
MULTNOMAH COUNTY, OREGON

Paul Mackey has asked me to address the impact of Senate Bill 245. I definitely feel that it is very important that this bill be approved by the Governor. Kathy Tuneberg, our Tax Collection manager, has written an excellent summary of the implications of this bill:

This bill now allows the county a variety of ways to handle small credit balances. During this legislative session it came to our attention that the county's way of handling credit balances under \$5.00 was not in accordance with the applicable statutes. It also came to light that the Dennehy vs. Department of Revenue case was not completely settled and that it could have a catastrophic impact on all counties. These two situations brought about the recommendation and drafting of a legislative change regarding the issuance of tax refunds.

Currently in the A & T system any credit balance \$5.00 and under is adjusted to interest. Meaning that an offsetting interest charge is created, the account is zeroed out and the excess amount gets distributed to the taxing districts. This bill would let us continue this practice which is administratively cost effective since issuing a tax refund costs approximately \$20.00.

The other option this bill provides which is also administratively prudent is the ability to credit any overpayment to an ensuing tax year. Current statutes do not allow this. Although our system is not set up to handle credit balances in this manner and it would be a major undertaking as far as reprogramming, the ability to handle these small amounts is in the best interests of the county and the taxpayer.



The reason for the \$25.00 limit was to have an alternative method of handling the refunds that could be required if the court finds in favor of Mr. Dennehy. The county has approximately 281,000 accounts. Almost everyone of those accounts could be due a refund and at \$20.00 it would cost over \$5.6 million to issue those refunds.

An informal commitment was made by the county tax collectors that they would limit the minimum refund amount to \$5.00. Although we believe \$10.00 would be more cost-effective and would eliminate issuing 12-13% of the refunds we currently issue, we support the commitment to hold the limit to a \$5.00 minimum.

Linda, since Paul has indicated that we need the County's position on this matter next week, I have taken the liberty of sending a copy of this memorandum to Gladys McCoy, County Chair.

Please let me know if there is anything else I should do to assist in this matter.

cc: Gladys McCoy
Paul Mackey
Larry Kressel
Kathy Tuneberg



MULTNOMAH COUNTY OREGON

OFFICE OF COUNTY COUNSEL
1120 S.W. FIFTH AVENUE, SUITE 1530
P.O. BOX 849
PORTLAND, OREGON 97207-0849
(503) 248-3138

BOARD OF COUNTY COMMISSIONERS
GLADYS McCOY, CHAIR
PAULINE ANDERSON
RICK BAUMAN
GRETCHEN KAFOURY

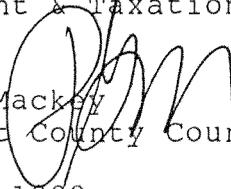
COUNTY COUNSEL
LAURENCE KRESSEL

CHIEF ASSISTANT
ARMINDA J. BROWN

ASSISTANTS
JOHN L. DU BAY
SANDRA N. DUFFY
J. MICHAEL DOYLE
H. H. LAZENBY, JR.
PAUL G. MACKKEY
MARK B. WILLIAMS

M E M O R A N D U M

TO: Janice Druian, Director
Assessment & Taxation 166/315

FROM: Paul G. Mackey 
Assistant County Counsel (106/1530)

DATE: July 13, 1989

RE: Senate Bill 245; Tax Collection
and Refunds

There was passed, late in the 1989 legislative session, the above bill which addresses cancellation of uncollectible taxes, tax refunds, and application of refunds to taxes due or to become due. A copy of the bill is attached.

The Governor's office is reviewing the bill and has expressed a negative view as to a recommendation that the Governor sign it because of Sec. 2(3), which provides that a refund shall not be required under that section if the amount would be less than \$25. The Governor's legal counsel believes that provision is "unfair". The language is permissive in that it does not state that no refund of less than \$25 shall be permitted, but simply says that it is not required. There is a sense that all the counties would settle on a refund amount of \$5 or so which would not be refunded because of the administrative cost to process.

This office has been asked by the Association of Oregon Counties to write the Governor recommending that he approve the bill and state our reasons. Any such recommendation would more appropriately come from either the assessor's office or the

RECEIVED
MULTNOMAH COUNTY

JUL 14 1989

Janice Druian
July 13, 1989
Page 2

Board, rather than this office, other than in its capacity as a representative of a County agency. Because the statute reposes in the Board the authority to order a refund (see Sec. 2(1)), or to apply a refund to taxes due or to become due (see Sec. 4), I think the Board should be included in any decision to endorse the bill and in encouraging the Governor to approve it.

You are familiar with the problem. But, the Board may be unaware of the impending concern caused by some recent litigation, which is now in the Supreme Court, that has the potential of requiring the County to make mass refund to taxpayers of individual amounts ranging from only cents to a few dollars. The estimated administrative expense to process and issue each refund is from \$25 to \$35, with the resulting aggregate cost beyond estimation, but immense.

The consensus of counties, as I am told was also the view of the legislative committees considering the bill, is that the cost to taxpayers as a group far exceeds the benefit to individual taxpayers who might qualify for a mass refund. Consequently, the legislature gave discretion to counties to refund or not amounts less than \$25 in order to prevent catastrophic impact should there be an event declaring a large group of taxpayers entitled to miniscule refunds. The other feature of the bill is to permit the counties to credit a refund against taxes due or to become due, rather than to require the refund to be paid out of present tax funds.

I am advised that the County's position on this matter should be delivered to the Governor next week. Please advise me of your wishes as to any response you or the Board would like this office to present in this matter.

5228R/mw

cc. Gladys McCoy, County Chair
Linda Alexander, DGS Director
Larry Kressel

A-Engrossed
Senate Bill 245

Ordered by the House June 21
Including House Amendments dated June 21

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Joint Interim Committee on Revenue and School Finance for Oregon Association of County Tax Collectors)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Eliminates three-year period that county must wait before delinquent personal property taxes may be determined to be uncollectible and canceled.

Amends provisions relating to tax refunds, including when not required, application to taxes due and written claims.

A BILL FOR AN ACT

1
2 Relating to taxation; creating new provisions; and amending ORS 311.370, 311.790, 311.806, 311.813
3 and 311.821.

4 Be It Enacted by the People of the State of Oregon:

5 SECTION 1. ORS 311.790 is amended to read:

6 311.790. If the tax collector and the district attorney for any county determine that taxes on
7 personal property [*which have been*] **that are** delinquent [*for three or more years*] are for any reason
8 wholly uncollectible, the tax collector and district attorney may request, in writing, the county court
9 for an order directing that the taxes be canceled. The court, when so requested, may in its dis-
10 cretion order and direct the tax collector to cancel such uncollectible personal property taxes. The
11 order shall be entered in the journal of the county court.

12 SECTION 2. ORS 311.806 is amended to read:

13 311.806. (1) **Upon compliance with subsection (2) of this section**, the county governing body
14 shall refund to a taxpayer[*out of the unsegregated tax collections account provided in ORS*
15 *311.385,*] taxes collected by an assessor or tax collector pursuant to a levy of the assessor or of any
16 taxing district or tax levying body plus interest thereon as provided in ORS 311.812, in the following
17 cases:

18 (a) Whenever ordered by the Department of Revenue and no appeal is taken or can be taken
19 from the department's order, or whenever ordered by the Oregon Tax Court or the Supreme Court
20 and the order constitutes a final determination of the matter; or

21 (b) Whenever taxes are collected against real or personal property not within the jurisdiction
22 of the tax levying body; or

23 (c) Whenever any person, through excusable neglect, or through an error subject to correction
24 under ORS 311.205 pays taxes on property in excess of the amount legally chargeable thereon, and
25 then only in the amount of money collected in excess of the amount actually due; or

26 (d) Except as provided in ORS 311.808, whenever any person pays taxes on the property of an-
27 other by mistake of any kind.

NOTE: Matter in bold face in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.

1 (2) No such refund shall be allowed or made after six years from the assessment date for the
2 fiscal year for which the taxes were collected. [unless] Before the expiration of such period a written
3 claim for refund of the collection [is] shall be filed by the taxpayer with the county governing body.
4 Where applicable, a certified copy of the order of the Department of Revenue or of the Oregon Tax
5 Court or the Supreme Court shall be made a part of the claim. However, upon written request of
6 the Director of the Department of Revenue or with the approval of the tax collector, the county
7 governing body may order a refund of taxes paid to any taxpayer or class of taxpayers without the
8 filing of a written claim. The request of the department shall be considered an order for the purpose
9 of ORS 311.812 (2)(b).

10 (3) A refund shall not be required under this section for any tax year if the amount of
11 the refund would be \$25 or less. Any amount not refunded under this subsection shall be
12 distributed to taxing districts in the same manner that other taxes are distributed.

13 [(3)] (4) Subject to section 4 of this 1989 Act, any refund under this section shall be paid
14 out of the unsegregated tax collections account provided in ORS 311.385. Immediately upon
15 payment of the refund and any interest thereon, the tax collector shall make the necessary cor-
16 recting entries in the records of the office of the tax collector. ORS 294.305 to 294.520, 294.555 and
17 294.565 shall not apply to refunds made out of the unsegregated tax collections account.

18 SECTION 3. Section 4 of this Act is added to and made a part of ORS chapter 311.

19 SECTION 4. If it is determined by the tax collector that a refund of taxes required by law may
20 be applied in payment of taxes due or to become due on property assessed to the taxpayer, the tax
21 collector shall notify the county governing body. Thereafter, upon order of the county governing
22 body, the tax collector shall apply the refund in payment of those taxes. If the refund is so applied,
23 the tax statement for the property shall reflect the reduction in taxes occasioned by the refund and,
24 for all purposes, including but not limited to allowance of discount or computation of interest, the
25 amount of the refund shall be considered a payment of tax.

26 SECTION 5. ORS 311.813 is amended to read:

27 311.813. If a refund of ad valorem property tax is ordered by a court of competent jurisdiction
28 other than a court mentioned in ORS 311.806 (1)(a), subject to section 4 of this 1989 Act the re-
29 fund and any interest ordered to be paid thereon shall be refunded out of the unsegregated tax
30 collections account established under ORS 311.385.

31 SECTION 6. ORS 311.821 is amended to read:

32 311.821. (1) Whenever in any year the boundaries of a taxing district have been reduced by
33 proceedings occurring after the date provided in ORS 308.225, and whenever such changes in
34 boundaries were not disregarded by the county assessor as required by ORS 308.225, and as a result
35 thereof taxes have been levied and collected upon the reduced territory of such district, which taxes
36 were not levied and extended upon the territory detached from such district, subject to section 4
37 of this 1989 Act the county governing body shall refund out of the unsegregated tax collections
38 account to the taxpayers of the territory upon which the levy was imposed and the taxes collected,
39 the proportionate amount of money in excess of the amount that would have been collected from the
40 territory comprising the entire district had the levy been uniform throughout the district. A written
41 claim for refund of such collection shall be filed with the county governing body within six years
42 from the assessment date for the fiscal year for which the taxes were collected.

43 (2) Whenever in any year the boundaries of a taxing district have been reduced by boundary
44 changes pursuant to law after the date provided in ORS 308.225, and such changes in boundaries

1 have been disregarded by the county assessor as required by ORS 308.225, and as a result thereof
2 taxes were levied upon property within such withdrawn area by such district and also for the same
3 tax year by another taxing district providing the same service or services, subjecting such property
4 to double taxation for any tax year, **subject to section 4 of this 1989 Act** the county governing
5 body shall refund out of the unsegregated tax collections account to the taxpayers of the territory
6 upon which the levy was imposed and the tax was collected the proportionate amount of money in
7 excess of the amount that would have been paid by such taxpayers had the withdrawal been recog-
8 nized by the assessor as effective for the tax year involved; provided, all such property shall remain
9 liable for indebtedness incurred prior to the boundary change as otherwise required by law. A
10 written claim for refund of such tax collection shall be filed with the county governing body within
11 two years from the assessment date for the fiscal year for which the taxes were collected.

12 (3) If the claim is in proper form, the county governing body shall take action by resolution
13 spread upon its journal, and repayments shall be made by orders drawn on the county treasurer for
14 the several amounts and issued to the several taxpayers shown by the tax records to have made the
15 payments originally.

16 (4) Immediately upon such reimbursement the tax collector shall make the necessary correcting
17 entries in the records of the office of the tax collector.

18 **SECTION 7.** ORS 311.370 is amended to read:

19 311.370. (1)(a) For all taxes and other charges collected by the tax collector under including, but
20 not limited to, ORS 91.512, 92.095, 308.260, 308.395, 308.399, 308.404, 308.780, 308.865, 311.165, 311.415,
21 311.465, 321.372, 321.760, 321.825, 358.525 and 454.225, the tax collector shall issue receipts similar
22 in form to the receipts issued on payment of taxes regularly charged on the tax roll.

23 (b) The assessor shall enter all assessments of property to which paragraph (a) of this subsection
24 applies in the assessment roll and shall make proper entries showing the extension of the taxes in
25 the usual manner and as though no payment to the tax collector had been made.

26 (2) Upon receipt thereof, the tax collector shall deposit with the county treasurer all money
27 collected by the tax collector under subsection (1) of this section. The county treasurer shall issue
28 to the tax collector duplicate receipts for the money and shall hold it in a special account in the
29 name of the tax collector.

30 (3) Upon delivery of the assessment roll pursuant to ORS 311.115, the tax collector shall post
31 the payments evidenced by the receipts, and the amount of any underpayment or overpayment. The
32 tax collector shall then make a statement to the county treasurer which shall specify the amount
33 to be retained in the special account to make the refunds required under paragraph (b) of subsection
34 (4) of this section. The tax collector shall dispose of the balance in the special account in the same
35 manner as other tax payments.

36 (4) Any sum collected by the tax collector which is in excess of the amount extended on the tax
37 roll as provided in paragraph (b) of subsection (1) of this section shall be disposed of by the tax
38 collector as follows:

39 (a) Any excess under \$5 shall be paid to the districts in which the taxed property is located in
40 the same manner as interest on taxes is paid to such districts.

41 (b) **Subject to section 4 of this 1989 Act**, any excess of \$5 or over shall be refunded to the
42 taxpayer by the county treasurer upon receiving instructions for doing so from the tax collector.
43 If an amount remains that cannot be refunded by June 30 of the next calendar year, the tax collector
44 shall instruct the treasurer to distribute the moneys to the taxing districts in the same manner as

1 the excesses are distributed under paragraph (a) of this subsection.

2 (5) If a sum less than the tax charged on the tax roll has been collected, the deficiency shall
3 be canceled by the tax collector if such sum is \$5 or less, and the tax collector shall note upon the
4 tax roll opposite the appropriate account, "Tax deficiency canceled pursuant to ORS 311.370." Oth-
5 erwise, the deficiency shall be collected as provided by law.

6 (6) If an appeal which is perfected under ORS 311.467 for taxes collected under ORS 311.465
7 results in a refund under ORS 311.806, the reimbursement for the refund to the unsegregated tax
8 collections account shall be made from the account provided for in subsection (2) of this section.
9

DATE SUBMITTED July 20, 1989

(For Clerk's Use)
Meeting Date 7/25/89
Agenda No. Inf PM HS

REQUEST FOR PLACEMENT ON THE AGENDA

Subject: Policy Discussion on Charitable Contributions / Workplace Solicitations

Informal Only* July 25 (Date) Formal Only _____ (Date)

DEPARTMENT Non-Departmental DIVISION Board of Commissioners

CONTACT Bill Farver TELEPHONE 3740

*NAME(S) OF PERSON MAKING PRESENTATION TO BOARD Pauline Anderson

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

Further policy consideration of Charitable Solicitations Task Force Report in light of memos from Barbara Simon and Commissioner Anderson

(Relevant information is in the memo from B. Simon and in the 7-18-89 memo from Comm. Anderson, both of which you've received.)
(IF ADDITIONAL SPACE IS NEEDED, PLEASE USE REVERSE SIDE)

ACTION REQUESTED:

INFORMATION ONLY PRELIMINARY APPROVAL POLICY DIRECTION APPROVAL

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA 30 minutes

IMPACT:

PERSONNEL
 FISCAL/BUDGETARY
 General Fund
 Other _____

BOARD OF COUNTY COMMISSIONERS
1989 JUL 20 AM 10:07
MULTNOMAH COUNTY
OREGON

SIGNATURES:

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

BUDGET / PERSONNEL _____

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) _____

OTHER _____
(Purchasing, Facilities Management, etc.)

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

PAULINE ANDERSON
Multnomah County Commissioner
District 1



605 County Courthouse
Portland, Oregon 97204
(503) 248-5220

July 18, 1989

To: Board of County Commissioners
From: Pauline Anderson *PA*
Re: Charitable Contributions Issue

We are now in receipt of the June 30 memo from Barb Simon concerning Costing of Charitable Campaign and the original Task Force report.

As Barb points out, we need to act promptly. I have asked the Chair's office to schedule another informal on this matter for the morning of July 25th. Based on our previous discussion and the latest information, I would suggest that we consider adopting the following policies.

After our discussion on the 25th, we need to draft an ordinance implementing the consensus views of the Board and place this on the formal agenda in early August to allow all parties an opportunity to comment.

GOALS

In developing these policies, I have tried to keep in mind what I think are our major goals for workplace solicitation.

- A. Encourage charitable giving by our employees.
- B. Give our employees some choice in their giving concerning the types of issues emphasized and the approach used by the organization.
- C. Minimize cost and disruption to the county.

SUGGESTED POLICIES

1. Establish a campaign management council.

The Campaign Management Council will consist of representatives of each county department and the Board. They will screen applications for participation and manage the county campaign. They will approve the design, publication, and distribution of campaign literature and communications and establish standards and guidelines for the campaign.

A representative of each qualifying funds/federation will be a non-voting member of the Council.

The funds/federations will pay the appropriate proportion of the total costs for the design, printing of any combined brochures, payroll deduction forms, and related documents used.

Barbara raises the issue of the cost to the county in staff time of this type of management council. The City's ordinance established a similiar Charitable Campaign Committee consisting of five members appointed by the City Council. Art Alexander of Commissioner Lindberg's office said that the Council was willing to absorb the cost of staff diverted to this work, especially in view of the fact that the City had supported United Way's campaign with contributed staff time in the past.

Also, Art estimated that the Committee would only be meeting about once a month during the campaign for 90 minutes to 2 hours, and quarterly thereafter. He will suggest that they establish an advisory committee of the non-profits to do some of the nuts and bolts work to minimize the amount of the Committee needs to meet and to keep the Committee as an oversight body.

However, the city did include a provision in their ordinance whereby they could charge the participating funds/federation for all costs to the county in proportion to the money raised by the funds/federations. 5.10.120 (2) I would favor including such a provision, but not planning on using it as long as the amount of work did not seem onerous.

In sum, I think Barbara wants us to realize that adding responsibilities like these to the appointed members of our Committee is a cost to the County in lost staff time. I understand that and am willing to accept that cost at this point. We can continue to monitor the time involved and assess the federations all or part of our costs if it seems desirable.

Finally, Barbara raises the issue of an appeal process to the Board for a fund/federation denied access to the workplace. Art Alexander said the City did not include such a procedure, but assumed that a group that was denied access could go before Council for a hearing. While I am not concerned that this is a major issue, I would be happy to add a section to a county ordinance clarifying such a right of appeal to the Board.

2. Limit participants to funds and federations.

This was the original direction of the Task Force until they were told that there were only five "buckets" on the payroll available and that the cost to expand the system would be prohibitive. Therefore, they concluded that you needed to limit the campaign to five participants and couldn't figure out how to do that in an equitable manner.

After reading Barb's memo and clarifying the costs with David Boyer, I believe we should see how many qualifying organizations there are and expand the payroll system if and when it is necessary.

Apparently, payroll has reserved other buckets for other purposes. We could use a few of them next year if it becomes necessary and delay the payroll expansion. Each year, the payroll system is reexamined in light of changes in tax laws.

If and when we need to expand the payroll system (for this or other reasons), David estimates the costs in programming time at a maximum of \$5,000. That allocation of resources by ISD would add over 20 additional buckets to the system.

In sum, the original obstacle to a fund/federation model does not appear to be a major concern.

3. To implement the fund/federation model adopt the following criteria:

Charitable organizations which qualify as exempt organizations under section 501 (c)(3) of the Internal Revenue Code.

Organizations which collect and disburse funds to at least ten non-profit organizations

Organizations which have a local presence in Multnomah County.

Organizations which have a written policy of non-discrimination regarding race, color, religion, national origin, handicap, age, sex, and sexual orientation.

If an organization fails to receive donations through the payroll deduction system from at least 25 employees in any year following its first year of participation, such organization will be ineligible to participate in the annual fundraising campaign for the following year.

I believe that the state, city, school district, and federal government are all using a fund/federation model. These criteria suggested here differ from the city's in three respects.

Other jurisdictions have adopted some language which attempts to describe the content of the charitable funds work. For example, the city's ordinance states that:

Charitable organizations must conduct their fund-raising activities for the direct good or benefit of the public, located in the State of Oregon, the national community, or the international community in the fields of health and human services, education, the environment, or the arts.

Art Alexander says that by adopting this language the city was, if anything, expanding the groups that would clearly qualify, and was not intending to limit groups by content.

I favor not including any such list and allowing any charitable fund or federation to participate which qualifies as a 501(c)(3) and the other listed criteria. I believe that any attempt to describe the content of the charitable work is not necessary and probably not productive because:

a. in practice, the definitions of jurisdictions are broad enough to allow in organizations regardless of substantive focus

b. we should not pass constitutionally suspect content based definitions which could be construed to discriminate against otherwise qualified 501(c)(3) organizations

c. our employees should have the right to choose among differing issues and philosophies (i.e. we should not take it upon ourselves to decide that environmental issues are not as significant as health issues, or that social change is not as crucial as social services).

The second difference is that these suggested criteria expand the number of organizations that must receive money from the fund/federation from five to ten. This will have no practical effect on the existing potential qualifiers (United Way, Black United Fund, and the Environmental Federation), but will require that future applicants be even more broadly based.

The third difference concerns the requirement for a minimum number of donors. The city's ordinance reads as follows:

In the event that an umbrella organization fails to receive donations through the payroll deduction system from at least 25 employees in any Annual Charity Drive, such organization will be ineligible to participate in the Annual Charity Drive for the following year. 5.10.090 (2)

The City considered a larger number, but settled on a minimum of 25 out of their over 4,000 employees. I was comfortable with the number 25 (even though we only have approximately half as many employees), but felt that we should give an organization two years to establish themselves. As Art points out, a fund/federation could reapply for admission the year following their exclusion.

4. Keep presentations to employees.

We should encourage department managers to schedule non-intrusive opportunities for employees to learn about their contribution options during their work day.

I understand the feelings of county employees who do not want to be "forced" to attend presentations. Presentations could be optional for those employees. However, I believe we should still encourage giving by allowing employees to hear presentations and ask questions. Experience has shown that participation is higher if allowed on work time.

Dave Boyer was concerned that encouraging employees to her presentations on staff time is a cost to the County. I recognize that and am still willing to do that because I believe the charitable giving goal is a worthwhile one.

I look forward to your comments and to our discussion on the 25th.

- c. Department Managers
- c. Larry Kressel
- c. Barb Simon
- c. Dave Boyer
- c. Don Ballinger, United Way
- c. Amina Anderson, BUF
- c. Sally Cross, Environmental Federation

1579

PAULINE ANDERSON
Multnomah County Commissioner
District 1



605 County Courthouse
Portland, Oregon 97204
(503) 248-5220

July 21, 1989

To: Board of County Commissioners
From: Pauline Anderson
Re: Charitable Contributions Memo

After sending out the July 18 memo, we received the latest material from the state regarding their Executive Department rules governing charitable solicitations in the workplace. I wanted to share their approach with you in relation to each of the policies I suggested.

1. Establish a campaign management council
By the state rules, the "Director of the Executive Department shall appoint a chairperson and a committee to establish operating procedures, processes and guidelines for the administration and management of the annual combined fund campaign".

However, unlike my proposal, the state will designate a "campaign management organization" to "administer the annual campaign on behalf of all participating federations".

Finally, the state includes two similar cost recovery provisions. The participating federations/funds will pay costs of designing and printing the combined brochures, payroll deduction forms, and related documents for the campaign, and "agree to allow the interest accrued from deducted funds or a transaction fee to be charged and used by the Department to meet state related campaign costs".

2. Limit participants to funds and federations
State uses the same approach.

3. Fund/federation criteria.
State rules are the same as our proposed rules with regard to any organization qualifying under the IRS regs (no limiting language), local presence requirement, and non discrimination policy.

The state, like the city, defines a fund/federation as a group which distributes to at least five charitable organizations.

Also, the state does not include a provision to remove an organization that does not generate enough contributors. I think we should include such a provision.

4. Presentations to employees
The rules we received did not speak to this issue.