



Multnomah County Oregon

Board of Commissioners & Agenda

connecting citizens with information and services

REVISED

BOARD OF COMMISSIONERS

Ted Wheeler, Chair

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JANUARY 12 - 15, 2009

BOARD MEETINGS FASTLOOK AGENDA ITEMS OF INTEREST

Pg 2	10:00 a.m. Monday Executive Session
Pg 2	9:00 a.m. Tuesday New Board Orientation 2009 Budget Overview of County Human Services
Pg 2	9:00 a.m. Wednesday New Board Orientation Health and Human Services Policy Panel
Pg 3	9:30 a.m. Thursday Opportunity for Public Comment on Non-Agenda Matters
Pg 3	9:55 a.m. Thursday Resolution Authorizing an 11- Month Closure of a Portion of NE 223rd Ave
Pg 4	10:00 a.m. Thursday Resolution Celebrating Martin Luther King, Jr., the Inauguration of a New President of the USA, and Affirming Volunteerism and Community Service in Multnomah County
Pg 4	10:30 a.m. Thursday Briefing on Impacts of Governor's 09-11 Recommended Budget on Multnomah County

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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

Saturday, 10:00 AM, Channel 29

Sunday, 11:00 AM, Channel 30

Tuesday, 8:15 PM, Channel 29

Produced through MetroEast Community Media

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or: <http://www.metroeast.org>

Monday, January 12, 2009 - 10:00 AM
Multnomah Building, Sixth Floor Commissioners Conference Room 635
501 SE Hawthorne Boulevard, Portland

EXECUTIVE SESSION

E-1 The Multnomah County Board of Commissioners will meet in Executive Session Pursuant to ORS 192.660(2)(d),(e) and/or (h). Only Representatives of the News Media and Designated Staff are allowed to attend. News Media and All Other Attendees are Specifically Directed Not to Disclose Information that is the Subject of the Session. No Final Decision will be made in the Session. Presented by County Attorney Agnes Sowle. 15-55 MINUTES REQUESTED.

Tuesday, January 13, 2009 - 9:00 AM
Multnomah Building, Sixth Floor Commissioners Conference Room 635
501 SE Hawthorne Boulevard, Portland

BOARD WORK SESSION

WS-1 New Board Orientation, Fiscal Year 2009 Budget Overview of County Human Services Department. Presented by Joanne Fuller. 2 HOURS REQUESTED.

Wednesday, January 14, 2009 - 9:00 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

BOARD WORK SESSION

WS-2 New Board Orientation, Health and Human Services Policy Panel: Safety Net. Presented by Joanne Fuller and Lillian Shirley. 2 HOURS REQUESTED.

Thursday, January 15, 2009 - 9:30 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

REGULAR MEETING

REGULAR AGENDA

PUBLIC COMMENT - 9:30 AM

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

DEPARTMENT OF HEALTH – 9:30 AM

- R-1 NOTICE OF INTENT to Submit a \$500,000 Grant Request to the Health Resources and Services Administration for an Oral Health Services Expansion Project
- R-2 NOTICE OF INTENT to Submit a \$300,000 Grant Request to the Health Resources and Services Administration to Support a Pharmacy Services Expansion Project
- R-3 NOTICE OF INTENT to Submit a Grant Application to the United Way of the Columbia-Willamette Project Innovation Grant Program

COUNTY ATTORNEY'S OFFICE – 9:45 AM

- R-4 Authorizing the Settlement of a Claim for Damages Against the County

DEPARTMENT OF COMMUNITY SERVICES – 9:50 AM

- R-5 First Reading and Possible Adoption of an ORDINANCE Amending County Land Use Code, Plans and Maps to Adopt Portland's Recent Land Use Code, Plan and Map Revisions Related to the Regulatory Improvement Code Amendment Package 4 in Compliance with Metro's Functional Plan and Declaring an Emergency
- R-6 RESOLUTION Authorizing an 11-Month Closure of a Portion of NE 223rd Avenue for Construction of the 223rd Undercrossing Sandy Blvd. – Bridge St. Project

NON-DEPARTMENTAL – 10:00 AM

- R-7 RESOLUTION Celebrating Martin Luther King, Jr., the Inauguration of a New President of the United States, and Affirming Volunteerism and Community Service in Multnomah County
- R-8 Multnomah County's Response to the Winter Storms in Late December 2008
- R-9 Briefing on Impacts of Governor's 2009-2011 Recommended Budget on Multnomah County. Presented by Phillip Kennedy-Wong and Rhys Scholes. 90 MINUTES REQUESTED.

BOARD COMMENT – 12:00 PM

Opportunity (as time allows) for Commissioners to provide informational comments to Board and public on non-agenda items of interest or to discuss legislative issues.



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MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-1 DATE 01/15/09
ANA KARNES, ASST BOARD CLERK

Board Clerk Use Only

Meeting Date: 01/15/09
Agenda Item #: R-1
Est. Start Time: 9:30 AM
Date Submitted: 12/30/08

**NOTICE OF INTENT to Submit a \$500,000 Grant Request to the Health
Agenda Resources and Services Administration for an Oral Health Services Expansion
Title: Project**

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

Requested Meeting Date: January 15, 2009 Amount of Time Needed: 5 minutes
Department: Health Division: Integrated Clinical Services
Contact(s): Susan Kirchoff, Alyssa Franzen, Tom Waltz
Phone: 503-988-3663 Ext. 83674 I/O Address: 160/8
Presenter(s): Susan Kirchoff

General Information

1. What action are you requesting from the Board?

Authorize the Director of the Health Department to submit a \$500,000 grant request to the Health Resources and Services Administration for an Oral Health Services Expansion Project.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

The Multnomah County Health Department offers comprehensive oral health services as part of its Integrated Clinical Services program. Services are provided at four dental clinics, three of which are co-located in a Department-operated community health center. Dental clinics provide services to uninsured patients and to patients receiving Medicaid benefits through the Oregon Health Plan.

Oral health care for individuals with chronic disease (e.g., diabetes, HIV, etc.) is essential for their long term health. Unfortunately, these individuals often are not able to get the oral health care they need. For example, of the 1,064 uninsured diabetic patients and 239 uninsured HIV patients within the Department's medical system, only 81 received dental care in the last 12 months, and the majority of these visits have been for urgent care.

The proposed project will support urgent, preventive and restorative care for clients who are medically compromised by chronic disease and/or pregnancy. These individuals are unable to seek

oral health care due to financial constraints, access issues, or due to other barriers. The project will be implemented in collaboration with the Department's medical staff to identify uninsured clients who are managing chronic illness. The project's goal is to improve overall health outcomes for patients by including comprehensive oral health care in their disease management plan, and by integrating dental staff as a part of patients' (medical) disease management teams.

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

No County funding is requested. The proposed grant will enable the Health Department to support activities to address the need for improved oral health care among clients with chronic disease.

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

None identified; providing oral health services is consistent with County policy to address the health care needs of Multnomah County residents.

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

This project will be presented to the Community Health Council prior to being submitted, and it will include support from all community health centers and community clinics in the county.

ATTACHMENT A

Grant Application/Notice of Intent

If the request is a Grant Application or Notice of Intent, please answer all of the following in detail:

- **Who is the granting agency?**
Health Resources and Services Administration.
- **Specify grant (matching, reporting and other) requirements and goals.**
No match is required for this grant. Grantees are required to monitor expenses, report activities on regular intervals as established in the grant agreement, and provide a final report upon completion of the project.
- **Explain grant funding detail – is this a one time only or long term commitment?**
This is a one-time commitment that will provide \$250,000 a year for two years to support oral health services. Funding may be rolled into the County's federal primary care grant after a successful project is demonstrated after the two-year funding cycle.
- **What are the estimated filing timelines?**
Grant applications are due before January 23, 2009.
- **If a grant, what period does the grant cover?**
Grants are for a period of two years beginning in September 2009.
- **When the grant expires, what are funding plans?**
Funding may be rolled into the County's federal primary care grant after a successful project is demonstrated after the two-year funding cycle, and limited third party billing will generate revenue to help support the continuation of oral health services.
- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**
Indirect costs are covered in the grant.

ATTACHMENT B

Required Signatures

**Elected Official or
Department/
Agency Director:**

Lillian Shirley

Date: 12/30/08

Budget Analyst:

Angela Burdine

Date: 12/30/08



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # R-2 DATE 01/15/09
 ANA KARNES, ASST BOARD CLERK

Board Clerk Use Only

Meeting Date: 01/15/09
 Agenda Item #: R-2
 Est. Start Time: 9:35 AM
 Date Submitted: 12/30/08

NOTICE OF INTENT to Submit a \$300,000 Grant Request to the Health Resources and Services Administration to Support a Pharmacy Services Expansion Project

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

Requested Meeting Date: <u>January 15, 2009</u>	Amount of Time Needed: <u>5 minutes</u>
Department: <u>Health</u>	Division: <u>Integrated Clinical Services</u>
Contact(s): <u>Joy Belcourt, Tom Waltz</u>	
Phone: <u>503-988-3663</u> Ext. <u>83674</u>	I/O Address: <u>160/9</u>
Presenter(s): <u>Joy Belcourt</u>	

General Information

1. What action are you requesting from the Board?

Authorize the Director of the Health Department to submit a \$300,000 grant request to the Health Resources and Services Administration for a Pharmacy Services Expansion Project.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

The Multnomah County Health Department operates five pharmacies to provide medications prescribed to patients (during CY 2008, approximately 248,000 prescriptions were filled for approximately 58,000 patients). Through this proposed Pharmacy Services Expansion Project, the Health Department will hire a licensed pharmacist to provide Medication Therapy Management to patients with chronic diseases and for those who use multiple medications. Medication Therapy Management will improve care through enhanced communications between patients and providers; improved health outcomes by optimizing medication therapy increasing patient understanding of appropriate drug use; and it will improve detection of adverse drug events through information sharing and patient education.

The project's Medication Therapy Management Pharmacist will employ a collaborative care team approach that will involve patients, pharmacists, physicians, social workers, etc. to assess patient health status and formulate a medication treatment plan. Medication Therapy Management will be

used to help identify and correct patient knowledge deficits, increase medication adherence and assist the patient to reach therapeutic goals.

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

No County funding is requested. The proposed grant will enable the Health Department to support activities to address the need for improved communications and education among clients who receive medications through the Department's pharmacies.

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

None identified; providing pharmacy services is consistent with County policy to address the health care needs of Multnomah County residents.

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

This project will be presented to the Community Health Council prior to being submitted, and it will include collaboration with the two local colleges of pharmacy to provide community practice sites for pharmacy students.

ATTACHMENT A

Grant Application/Notice of Intent

If the request is a Grant Application or Notice of Intent, please answer all of the following in detail:

- **Who is the granting agency?**

Health Resources and Services Administration.

- **Specify grant (matching, reporting and other) requirements and goals.**

No match is required for this grant. Grantees are required to monitor expenses, report activities on regular intervals as established in the grant agreement, and provide a final report upon completion of the project. The Medication Therapy Management Pharmacist will be responsible for documenting services in a manner appropriate for evaluating progress and sufficient for third party billing.

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

This is a one-time commitment that will provide \$150,000 a year for two years to support pharmacy services. Funding may be rolled into the County's federal primary care grant after a successful project is demonstrated after the two-year funding cycle.

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

Grant applications are due before January 30, 2009.

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

Grants are for a period of two years beginning in September 2009.

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

Funding may be rolled into the County's federal primary care grant after a successful project is demonstrated after the two-year funding cycle, and third party billing will generate revenue to support the continuation of Medication Therapy Management services.

- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**

Indirect costs are covered in the grant.

ATTACHMENT B

Required Signatures

**Elected Official or
Department/
Agency Director:**

Lillian Shirley

Date: 12/30/08

Budget Analyst:

Angela Burdine

Date: 12/30/09



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (revised 09/22/08)

Board Clerk Use Only

Meeting Date: 01/15/09
Agenda Item #: R-3
Est. Start Time: 9:40 AM
Date Submitted: 01/02/09

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # R-3 DATE 01/15/09
 ANA KARNES, ASST BOARD CLERK

Agenda Title: **NOTICE OF INTENT to Submit a Grant Application to the United Way of the Columbia-Willamette Project Innovation Grant Program**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date: January 15, 2009 **Amount of Time Needed:** 5 min
Department: Health **Division:** Community Health Services
Contact(s): Tricia Tillman, Charlene McGee, Nicole Hermanns
Phone: 503-988-3663 **Ext.** 26314 **I/O Address:** 160/9
Presenter(s): Charlene McGee, Nicole Hermanns

General Information

1. What action are you requesting from the Board?

Authorize the Director of the Health Department to apply for up to \$40,000 in grant funding through the United Way of the Columbia-Willamette Project Innovation grant program to pilot the use of new media, including text messages, in the delivery of culturally appropriate health promotion messages to reduce disparities in sexual health within the African American community.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

As is true for many health problems, African-Americans experience a greater incidence of gonorrhea and Chlamydia than other communities in Multnomah County. Data from the Health Department's STD Prevention and Treatment Program for 2006 show that of those infected with an STD in Multnomah County, African Americans are disproportionately impacted. Historically, messages to encourage condom use and other sexual health promoting strategies that prevent the spread of HIV and other STDs have targeted gay and white communities and have not always been relevant to the cultural norms, strengths, and needs of the African American community.

Three alarming trends that typify STD disparities in the local African American Community include:

- **Gonorrhea in African Americans is seven times the rate as in White Non-Hispanics.**

- **Chlamydia in African Americans is six times the rate as in White Non-Hispanics.**
- **Of the reported cases in African Americans, 80% of gonorrhea cases and 95% of Chlamydia cases were in heterosexuals under the age of 35.**

The use of text messaging as a communication vehicle to promote sexual health, and increase access and utilization of care has been piloted in a few areas around the world with positive results. The Health Department plans to use these grant funds to pilot the use of text messaging for public health messaging to promote sexual health within Multnomah County. Specifically, funds will be used to develop the infrastructure to support the texting technology, link users to www.knowsexpdx.com, and capture data to evaluate the program and develop a database of user contact information for future new media and text messaging campaigns. Users will self enroll in the program and have the option of discontinuing receipt of texts at any time. All contact and user information collected will be kept confidential and comply with HIPPA. If the use of text messaging is effective and efficient, their use may be expanded within the health department to include activities such as appointment reminders, and partner notification for sexually transmitted infections (STIs). The successful launch and implementation of a text messaging campaign could bring local, regional and national recognition to Multnomah County Health Department, as a model entity for innovative, socially transformational, public health STD prevention and education intervention.

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

This grant would provide the Health Department with up to \$40,000 to pilot the use of text messaging as a vehicle for raising awareness about sexual health messages during a one year grant period. There is no ongoing fiscal impact from this project. If text messaging is found to be an efficient and effective method of communication new opportunities to increase Health Department efficiencies and reduce costs may be explored.

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

None.

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

None.

ATTACHMENT A

Grant Application/Notice of Intent

If the request is a Grant Application or Notice of Intent, please answer all of the following in detail:

- **Who is the granting agency?**
United Way of the Columbia-Willamette.
- **Specify grant (matching, reporting and other) requirements and goals.**
The goal of Project Innovation funding is to increase efficiency, effectiveness and access to health and human services to under-represented communities by piloting innovative approaches to service delivery; creating new partnerships; promoting progress toward systemic change; and advancing advocacy work with funding, policy and equity implications. There is no required match. Regular reporting will be required.
- **Explain grant funding detail – is this a one time only or long term commitment?**
This is a one time only grant for up to \$40,000 in funding for a one year project period. When the project period is over the project will have been completed.
- **What are the estimated filing timelines?**
The grant is due on January 16th, 2009.
- **If a grant, what period does the grant cover?**
The grant period runs from July 1, 2009 through June 30, 2010.
- **When the grant expires, what are funding plans?**
When the grant expires the project will have been completed. If the use of text messaging proves to be an effective and efficient method of communication for health messaging, the Health Department will look for additional grant opportunities to pilot the use of texting in additional clinical situations (appointment reminders, partner notification of STIs, etc.).
- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**
These costs will be covered through grant funds. This grant will not involve the hiring of any new staff and will not incur any facilities charges that are not currently budgeted for.

ATTACHMENT B

Required Signatures

**Elected Official or
Department/
Agency Director:**

Lillian Shirley

Date: 12/31/08

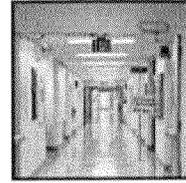
Budget Analyst:

Angela Burdine

Date: 01/02/09

Are Black Women the Most Affected by STDs?

By Daryl C. Hannah



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Keywords: *health disparity, healthcare*

While Blacks only make up 12 percent of the U.S. population, they account for about 70 percent of gonorrhea cases and almost half of all Chlamydia and syphilis cases in 2007, according to an annual Centers for Disease Control and Prevention (CDC) report. Even more alarming are the statistics surrounding Black teenage women, a demographic that now represents the highest rates of both Chlamydia and gonorrhea of any group.

The report, the "Sexually Transmitted Diseases Surveillance, 2007," showed that of the 1.1 million Chlamydia cases reported in 2007, infection rates among women were three times that of men and Black women, ages 15 to 19, accounting for 9,646 per 100,000 people. Gonorrhea rates, also higher among women, were flat when comparing 2006 to 2007 but were very high for Black teenage women, at 2,956 per 100,000 people.

"The racial disparities in rates of STDs are among the worst health disparities in the nation for any condition," says Dr. John M. Douglass Jr., director of the CDC's Division of STD Prevention. "The widespread occurrence of these diseases should serve as a stark reminder that STDs remain a serious health threat in the United States, especially for women and racial and ethnic minorities."

The study also highlighted the health disparities associated with socioeconomic status, which limits many Black Americans' access to quality healthcare, forcing them to forgo much-needed treatment--a move that often leads to infertility.

"We must intensify effort to reach these communities with needed screening and treatment services," the study reveals. "Testing and the knowledge of infection is a critical first step toward reducing the continued consequences of these diseases."

"Left untreated, Chlamydia and gonorrhea can cause infertility, affecting a woman's chance to bear children later in life," Douglass says. "Such a severe consequence is entirely avoidable if as a nation we work together to increase the use of proven prevention tools and make them widely available to those who need them."

The report also showed an increase in the rate of syphilis cases--a disease that public-health officials believed was once on the verge of elimination--growing at an alarming 15.2 percent between 2006 and 2007. Gay men accounted for 65 percent of the cases reported.

Readers' Comments

Posted: Wednesday, Jan 14, 2009
Are Black Women the Most Affected by STDs?

As the director of the Healthy Teens Community Care Center in Detroit Michigan I can attest to the fact that young black girls are the greatest victims of all sexually transmitted diseases, especially Chlamydia and Gonorrhea and they are the most likely to become infected with HIV. It is sad, and we are working hard every day to educate our population of teens in Detroit but our funding is limited and we really need the support of our community. We need money, volunteers, mentors and a lot of other support to meet this tremendous educational need in our communities both for males, females as well as older adults. Mental health counseling is greatly needed, self esteem training, and you name it. It's really sad.



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 01/15/09
 Agenda Item #: R-4
 Est. Start Time: 9:45 AM
 Date Submitted: 01/07/09

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS,
 AGENDA # R-4 DATE 01/15/09
 ANA KARNES, ASST BOARD CLERK

Agenda Title: Authorizing the Settlement of a Claim for Damages Against the County

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

Requested Meeting Date: January 15, 2009 **Amount of Time Needed:** 5 minutes
Department: Non-Departmental **Division:** County Attorney
Contact(s): Agnes Sowle
Phone: 503-988-3138 **Ext.** 83138 **I/O Address:** 503/500
Presenter(s): Sandra Duffy, Assistant County Attorney

General Information

1. What action are you requesting from the Board?

Approve the settlement of the case Laurel MacDonald Bonnell, Trustee of the William H. MacDonald Trust v. Tektronix, Inc., Multnomah County, Chipman Chemical Co. Inc., and Bayer CropScience, Inc. for the amount of \$75,000.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

Board approval would authorize the full and final settlement of a claim arising from environmental contamination of real property by County employees back in 1968.

The County operated and ran a sewage treatment facility in Washington County during the late 1960s. Upon system failure in September 1968, the County disposed of several thousand gallons of sewage sludge on real property located in Yamhill County. The County's disposal activity ended upon request of a Yamhill County judge one week later.

Several corporate entities and individuals were engaged in similar disposal activity at the property, and they have been named as parties to this or previous lawsuits. Environmental cleanup of the property has been estimated at \$1.5 million. The County's contribution for settlement of this claim is \$75,000.

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

There is no impact on the General Fund. Payment of \$75,000 from the County's self-insurance fund.

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

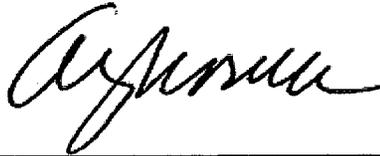
On December 18, 2003, the Board adopted Resolution 03-171 delegating authority to the County Attorney to settle claims and litigation against the County or its employees in amounts up to \$25,000 per case. The County Attorney must obtain Board approval for all settlements of over \$25,000.

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

N/A

Required Signature

**Elected Official or
Department/
Agency Director:**



Date: 01/07/09



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

Board Clerk Use Only

Meeting Date: 01/15/09
Agenda Item #: R-5
Est. Start Time: 9:50 AM
Date Submitted: 12/30/08

First Reading and Possible Adoption of an ORDINANCE Amending County Land Use Code, Plans and Maps to Adopt Portland's Recent Land Use Code, Plan and Map Revisions Related to the Regulatory Improvement Code

Agenda Title: **Amendment Package 4 in Compliance with Metro's Functional Plan and Declaring an Emergency**

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

Date Requested: <u>January 15, 2009</u>	Time Requested: <u>5 minutes</u>
Department: <u>Community Services</u>	Program: <u>Land Use & Transportation</u>
Contact(s): <u>Adam Barber</u>	
Phone: <u>503-988-3043</u> Ext. <u>22599</u>	I/O Address: <u>455/116</u>
Presenter(s): <u>Adam Barber</u>	

General Information

1. What action are you requesting from the Board?

Adopt the ordinance as recommended by the Portland Planning Commission and Portland City Council.

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

On October 11, 2001 the Board adopted Ordinance 967 (effective date January 1, 2002) adopting, in summary, the Portland Comprehensive Plan and zoning ordinance. The County and the City of Portland have been engaged in agreements enabling the City of Portland to provide planning services to achieve compliance with the Metro Functional Plan for those areas outside the City limits, but within the urban growth boundary and urban service boundary of Portland. Since the adoption of Ordinance 967 and subsequently Ordinance 997, the attached ordinances have been passed by the Portland City Council and therefore the County must adopt them pursuant to our intergovernmental agreement to keep the code up to date. Multnomah County and the City of

Portland entered into an Intergovernmental Agreement (IGA) to transfer land use planning responsibilities on January 1, 2002. The IGA lays out a process requiring the County to ensure that any amendments to the City's comprehensive plan, zoning code and other regulations adopted by the City Council will be considered by the County Board of Commissioners at the earliest possible meeting. It also states "The County Board of Commissioners shall enact all comprehensive plan and code amendments so that they take effect on the same date specified by the City's enacting ordinance" (unless adopted by emergency). The City will have taken action on all of the above items by the hearing date of this ordinance. If the County does not adopt these amendments, the IGA will be void and the County will be required to resume responsibility for planning and zoning administration within the affected areas.

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

NA

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

State law requires a notice be placed in a newspaper of general circulation 10 days prior (12/05/09) to the BCC hearing. We request adoption of this ordinance by emergency to closely align with the City of Portland effective date (12/16/09) as stated in the IGA. The County Attorney's office was involved in the drafting of the original IGA and has been involved in coordinating our compliance effort through adoption of these code amendments.

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

The City included the County affected property owners in their noticing for these code revisions when required pursuant to the IGA and directed them to the City legislative process.

Required Signatures

**Department/
Agency Director:**



A handwritten signature in cursive script that reads "M. Cecilia Johnson". The signature is written in black ink and is positioned above a horizontal line.

Date: 01/06/09

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

Amending County Land Use Code, Plans and Maps to Adopt Portland's Recent Land Use Code, Comprehensive Plan and Map Revisions related to the Regulatory Improvement Code Amendment Package 4 in Compliance with Metro's Functional Plan and Declaring an Emergency

The Multnomah County Board of Commissioners Finds:

- a. The Board of County Commissioners (Board) adopted Resolution A in 1983 which directed the County services towards rural services rather than urban.
- b. In 1996, Metro adopted the Functional Plan for the region, mandating that jurisdictions comply with the goals and policies adopted by the Metro Council.
- c. In 1998, the County and the City of Portland (City) amended the Urban Planning Area Agreement to include an agreement that the City would provide planning services to achieve compliance with the Functional Plan for those areas outside the City limits, but within the Urban Growth Boundary and Portland's Urban Services Boundary.
- d. It is impracticable to have the County Planning Commission conduct hearings and make recommendations on land use legislative actions pursuant to MCC 37.0710, within unincorporated areas inside the Urban Growth Boundary for which the City provides urban planning and permitting services. The Board intends to exempt these areas from the requirements of MCC 37.0710, and will instead consider the recommendations of the Portland Planning Commission and City Council when legislative matters for these areas are brought before the Board for action as required by intergovernmental agreement (County Contract #4600002792) (IGA).
- e. On December 4, 2008, the Board amended County land use codes, plans and maps to adopt the City's land use codes, plans and map amendments in compliance with Metro's Functional Plan by Ordinance 1123.
- f. Since the adoption of Ordinance 1123, the City's Planning Commission recommended land use code, plan and map amendments to the City Council through duly noticed public hearings.
- g. The City notified affected County property owners as required by the IGA.
- h. The City Council adopted the land use code, plan and map amendments set out in Section 1 below and attached as Exhibits 1 through 3. The IGA requires that the County adopt these amendments for the City planning and zoning administration within the affected areas.

Multnomah County Ordains as follows:

Section 1. The County Comprehensive Framework Plan, community plans, rural area plans, sectional zoning maps and land use code chapters are amended to include the City land use code, plan and map amendments, attached as Exhibits 1 through 3, effective on the same date as the respective Portland ordinance:

Exhibit No.	Description	Effective / Date
1	Ordinance adopting and implementing the Regulatory Improvement Code Amendment Package 4 and amending the Comprehensive Plan Map and Zoning Map (PDX Ord. #182429)	12/16/08
2	Planning Commission Recommendations to the Portland City Council regarding the Regulatory Improvement Code Amendment Package 4	11/17/08
3	Regulatory Improvement Code Amendment Package 4 Zoning Code Amendment Revisions	11/08

Section 2. In accordance with ORS 215.427(3), the changes resulting from Section 1 of this ordinance shall not apply to any decision on an application that is submitted before the applicable effective date of this ordinance and that is made complete prior to the applicable effective date of this ordinance or within 180 days of the initial submission of the application.

Section 3. In accordance with ORS 92.040(2), for any subdivisions for which the initial application is submitted before the applicable effective date of this ordinance, the subdivision application and any subsequent application for construction shall be governed by the County's land use regulations in effect as of the date the subdivision application is first submitted.

Section 4. Any future amendments to the legislative matters listed in Section 1 above, are exempt from the requirements of MCC 37.0710. The Board acknowledges, authorizes and agrees that the Portland Planning Commission will act instead of the Multnomah Planning Commission in the subject unincorporated areas using the City's own procedures, to include notice to and participation by County citizens. The Board will consider the recommendations of the Portland Planning Commission when legislative matters for County unincorporated areas are before the Board for action.

Section 5. An emergency is declared in that it is necessary for the health, safety and general welfare of the people of Multnomah County for this ordinance to take effect concurrent with the City code, plan and map amendments. Under section 5.50 of the Charter of Multnomah County, this ordinance will take effect in accordance with Section 1.

FIRST READING AND ADOPTION: January 15, 2009

BOARD OF COUNTY COMMISSIONERS,
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By Sandra N. Duffy, Assistant County Attorney

SUBMITTED BY:
M. Cecilia Johnson, Director, Department of Community Services

EXHIBIT LIST FOR ORDINANCE

1. Ordinance adopting and implementing the Regulatory Improvement Code Amendment Package 4 and amending the Comprehensive Plan Map and Zoning Map (PDX Ord. #182429).
2. Planning Commission Recommendations to the Portland City Council regarding the Regulatory Improvement Code Amendment Package 4
3. Regulatory Improvement Code Amendment Package 4 Zoning Code Amendment Revisions

Prior to adoption, this information is available electronically or for viewing at the Multnomah County Board of Commissioners and Agenda website (www.co.multnomah.or.us/cc/WeeklyAgendaPacket/). To obtain the adopted ordinance and exhibits electronically, please contact the Board Clerk at 503-988-3277. These documents may also be purchased on CD-Rom from the Land Use and Transportation Program. Contact the Planning Program at 503-988-3043 for further information.

ORDINANCE No. 182429

Improve land use regulations through the Regulatory Improvement Code Amendment Package 4 (Ordinance; amend Title 33)

The City of Portland Ordains:

Section 1. The Council finds:

General Findings

1. This project is part of the Regulatory Improvement Workplan, an ongoing program to improve City building and land use regulations and procedures. Each package of amendments is referred to as a Regulatory Improvement Code Amendment Package (RICAP), followed by a number.
2. During the Spring and Summer of 2007, staff from the Planning Bureau and the Bureau of Development Services (BDS) worked with the Regulatory Improvement Stakeholder Advisory Team (RISAT) to develop a workplan for the fourth Regulatory Improvement Code Amendment Package (RICAP 4). The RISAT includes participants from city bureaus and the community and advises staff.
3. The Planning Bureau coordinated with BDS to complete the Land Division Monitoring Report, which analyzed the results of the Land Division Rewrite Project, done in 2002. Planning and BDS agreed to incorporate several of the findings and issues illustrated in the Monitoring Report into the RICAP 4 workplan.
4. On July 24, 2007, the Planning Commission held a hearing to discuss and take testimony on the RICAP 4 workplan. The workplan consisted of 49 issues proposed for further research in order to find potential solutions. Three additional items were added during the research of the workplan items; two were added by the Bureau of Development Services and one by City Council, bringing the total to 52 items.
5. During the Winter of 2007 and Spring of 2008, Planning staff worked with BDS and RISAT to address the issues in the workplan.
6. During the Spring and Summer of 2008, Planning staff also worked with BDS and RISAT to develop a workplan for the fifth Regulatory Improvement Code Amendment Package (RICAP 5).
7. At the August 26, 2008 Planning Commission hearing on the workplan for RICAP 5, several members of the public requested that the regulations for Retail Sales and Service Uses for the Division Main Street be amended. This item is under separate ordinance.
8. After preliminary work on all of the issues, staff determined that several items did not warrant an amendment to the code. The amendments in RICAP 4 address 45 of the 52 issues initially included.
9. On August 27, 2008, notice of the proposed RICAP 4 code amendments was mailed to the Department of Land Conservation and Development in compliance with the post-acknowledgement review process required by ORS 197.610.

10. On September 11, 2008, notice was sent to all neighborhood associations and coalitions and business associations in the City of Portland, as well as persons involved in land divisions, industrial interests, manufactured dwellings, radio frequency facilities, and other interested persons to notify them of the Planning Commission hearing on the proposed code changes for RICAP 4.
11. On September 16, 2008, the *Regulatory Improvement Workplan: Regulatory Improvement Code Amendment Package 4 (RICAP 4) Proposed Draft* was published.
12. On October 14, 2008, the Planning Commission held a hearing on the *Regulatory Improvement Workplan: Regulatory Improvement Code Amendment Package 4 (RICAP 4), Proposed Draft*. Staff presented the proposal and public testimony was received.
13. On October 28, 2008, the Planning Commission heard additional testimony, and considered the *Staff Amendments to the Proposed Draft* for RICAP 4.
14. At the conclusion of the hearing on October 28, the Commission voted to recommend that City Council adopt the staff recommendation for RICAP 4, including the Staff Amendments presented at the hearing.
15. On December 10, 2008, City Council held a hearing on the *Regulatory Improvement Workplan: Regulatory Improvement Code Amendment Package 4 (RICAP 4), Planning Commission Recommended Draft*. Staff presented the proposal and public testimony was received. As part of this presentation, staff requested that regulations affecting Retail Sales And Service Uses on Division Street in the Main Street Corridor Overlay Zone be considered under separate ordinance.
16. On December 17, 2008, Council voted to adopt the *Regulatory Improvement Workplan: Regulatory Improvement Code Amendment Package 4 (RICAP 4), Planning Commission Recommended Draft* and amend the Zoning Code as shown in the report.

Findings on Statewide Planning Goals

17. State planning statutes require cities to adopt and amend comprehensive plans and land use regulations in compliance with state land use goals. Only the state goals addressed below apply.
18. **Goal 1, Citizen Involvement**, requires the provision of opportunities for citizens to be involved in all phases of the planning process. The preparation of these amendments has provided numerous opportunities for public involvement:
 - During 2007, Planning and BDS met monthly with the RISAT to review the selections proposed for the Regulatory Improvement Code Amendment Package 4 (RICAP 4) workplan.
 - On May 22, 2007, the Bureau of Development Services presented the Planning Commission with the findings of the Land Division Monitoring Report. This briefing was presented at a mobile session held in East Portland, and included stakeholders involved in land divisions who were invited to comment on the report.
 - On June 22, 2007 notice was sent to all neighborhood associations and coalitions, and business associations in the City of Portland, as well as other interested persons to notify them of the Planning Commission hearing for the RICAP 4 workplan.

- On July 2, 2007, the *Regulatory Improvement Code Amendment Package 4 – Proposed Workplan* was published. The report was available to City bureaus and the public and mailed to all those requesting a copy. An electronic copy was posted to the Bureau's website.
 - On July 24, 2007, the Planning Commission held a public hearing on the RICAP 4 Proposed Workplan and heard testimony from citizens on the proposed issues. The Planning Commission voted to adopt the workplan, directing staff to work on code amendments on the 49 issues listed in the workplan.
 - On September 12, 2007, during the City Council hearing for RICAP 3, Council members heard testimony from interested parties in the Gateway open area requirements. The Council members advised staff to continue working on the Gateway open area amendments as part of the RICAP 4 workplan.
 - During the fall and winter of 2007 and 2008, staff met monthly with the RISAT to discuss proposed code solutions.
 - On August 8, 2008, notice was sent to all neighborhood associations and coalitions, and business associations in the City of Portland, as well as persons involved in land divisions, industrial interests, manufactured dwellings, radio frequency facilities, and other interested persons to notify them of the release of the *RICAP 4 Discussion Draft* and the provision of two open houses.
 - On August 19, and August 21, 2008, staff held two open houses. The first open house was held in the Midland Library in East Portland, and the second was held downtown. 16 people attended the two open houses.
 - On September 11, 2008, notice was sent to all neighborhood associations and coalitions, and business associations in the City of Portland, as well as persons involved in land divisions, industrial interests, manufactured dwellings, radio frequency facilities, the Division Green Street / Main Street Plan, and selected persons in the Laurelhurst and Eastmoreland plan districts. The notice was for the Planning Commission Hearing on the staff proposal for the Regulatory Improvement Code Amendment Package 4 (RICAP 4) and to announce the availability of the Proposed Draft.
 - On September 16, 2008, the *Regulatory Improvement Code Amendment Package 4 (RICAP 4) Proposed Draft* was published. The report explained the proposed amendments to the Zoning Code. The report was available to City bureaus and the public and mailed to all those requesting a copy. An electronic copy was posted to the Bureau's website.
 - On October 14 and 28, 2008, the Planning Commission held public hearings to discuss and take testimony on the report.
 - On November 21, 2008, notice was sent to those who testified at the Planning Commission hearings, and to people interested in RICAP 4, of the proposed City Council hearing on the Planning Commission recommendation for RICAP 4.
 - On December 10, 2008, the City Council held a public hearing to discuss and take testimony on the recommendations from the Planning Commission.
19. **Goal 2, Land Use Planning**, requires the development of a process and policy framework that acts as a basis for all land use decisions and assures that decisions and actions are based on an understanding of the facts relevant to the decision. The amendments support this goal because

development of the recommendations followed established city procedures for legislative actions, while also improving the clarity and comprehensibility of the City's codes.

20. **Goals 3 and 4, Architectural Lands and Forest Lands** requires the preservation and maintenance of the state's agricultural and forest lands, generally located outside of urban areas. The amendments to the city's industrial and employment areas are consistent with this goal because they support the more efficient use of industrial and employment lands within the city, thereby reducing development pressure on agricultural and forest lands outside of urban areas.
21. **Goal 5, Open Space, Scenic and Historic Areas, and Natural Resources**, requires the conservation of open space and the protection of natural and scenic resources. The amendments addressing the regulation of historic resources subsequently added to an existing historic or conservation district aid in ensuring the preservation of these resources.
22. **Goal 8, Recreational Needs**, requires satisfaction of the recreational needs of both citizens and visitors to the state. The amendments are consistent with this goal because they clarify under what circumstances the open space requirement is triggered within the Gateway Plan District.
23. **Goal 9, Economic Development**, requires the provision of adequate opportunities for a variety of economic activities vital to public health, welfare and prosperity. In general the provisions in RICAP 4 support this goal by improving the clarity of regulations. The following amendments are directly supportive of Goal 9.
 - Regulations affecting industrial and employment lands. These amendments support Goal 9 by ensuring that adequate lands are available for industrial and employment uses within the city of Portland. These amendments bring the city into compliance with recent changes made to Metro's Urban Growth Management Functional Plan, specifically Title 4. See also the findings for Metro's Title 4.
 - Regulations affecting Day Care Uses. This amendment updates the city's definition of a day care use so that family day care facilities, as defined in the state codes, are not included. This removes an inconsistency between state and city regulations for family day care operators working out of their home.
24. **Goal 10, Housing**, requires provision for the housing needs of citizens of the state. In general, the provisions in RICAP 4 support this goal by improving the clarity of regulations. The following amendments are directly supportive of Goal 10. See also findings for Portland Comprehensive Plan Goal 4, Housing and Metro Titles 1 & 7.
 - Regulations affecting land divisions. The amendments, based upon the land division monitoring report, support Goal 10 by clarifying the regulations that apply to the creation of lots through land divisions and ensuring better designed land divisions and development. Amendments include revised regulations addressing flag lots, narrow lots, planned developments, and the placement of alleys within the site. Regulations are also amended to clarify the desired development on corner lots, narrow lots, and within planned developments, as well as how garages are to be included within narrow houses. These amendments better meet the intent of the Land Division Code Rewrite, completed in 2002.
 - Regulations affecting manufactured homes and manufactured dwelling parks. These amendments bring the city's regulations into compliance with state law for manufactured homes and manufactured dwelling parks. This eliminates confusion between state and local requirements. This consistency allows the option for the placement of manufactured homes on a

lot which provides alternatives to stick built homes, in support of state affordable housing objectives.

- Regulations affecting accessory dwelling units. This amendment clarifies how living area is calculated for accessory dwelling units, to be consistent with the uniform building code as stated in the Oregon Structural Specialty Code.
25. **Goal 11, Public Facilities and Services**, requires planning and development of a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for development. The amendments affecting the land divisions support this goal by clarifying the regulations that apply to land divisions and the requirements for public alleys, and the interaction between streets and driveways.
26. **Goal 12, Transportation**, requires provision of a safe, convenient, and economic transportation system. The amendments are consistent with this goal, because they do not change the policy or intent of any of the existing regulations pertaining to transportation.

The Oregon Transportation Planning Rule (TPR) was adopted in 1991 and amended in 1996 and 2005 to implement State Goal 12. The TPR requires certain findings if the proposed regulation will significantly affect an existing or planned transportation facility.

This proposal will not have a significant effect on existing or planned transportation facilities because the amendments do not result in increases in jobs, housing units, or density. For the most part, they clarify existing regulations. The following amendments specifically support this goal:

- Regulations affecting industrial and employment lands. Within the city's industrial and employment land designations, additional approval criteria are added to the city's conditional use review to ensure that certain uses will not impact the city's existing truck and freight movement facilities.
- Regulations affecting land divisions. As part of the amendments to the land division code, the current regulations for private and public alleys are being clarified as are the regulations for the interaction of public streets and driveway curb cuts to ensure a more efficient use of land and reduce conflicts between vehicles and pedestrians.

Findings on Metro Urban Growth Management Functional Plan

27. The following elements of the Metro Urban Growth Management Functional Plan are relevant and applicable to the RICAP 4 amendments.
28. **Title 1, Requirements for Housing and Employment Accommodation**, requires that each jurisdiction contribute its fair share to increasing the development capacity of land within the Urban Growth Boundary. This requirement is to be generally implemented through citywide analysis based on calculated capacities from land use designations. In general, the amendments are consistent with this title because they do not significantly alter the development capacity of the city.

The amendments to the city's industrial and employment lands specifically address this Title by ensuring that any legislative amendments or quasi-judicial requests to remove industrial or employment lands from the city's comprehensive plan map address Metro's goals, including the jobs capacity goal for the city.

29. **Title 4, Industrial and Other Employment Areas**, seeks to provide and protect a supply of sites for employment by limiting the types and scale of non-industrial uses in Regionally Significant Industrial Areas, (RSIAs), Industrial and Employment Areas. Title 4 also seeks to protect the capacity and efficiency of the region's transportation system for the movement of goods and services. In general, the amendments are consistent with this title because they do not significantly alter the city's policy on Industrial and Employment Areas.

One set of amendments specifically supports Title 4. Amendments to regulations in the city's industrial and employment areas ensure that there continues to be adequate land within the city for the siting of industrial and employment uses. This is accomplished by limiting the ability for applicants to divide vacant industrial land, or remove land from industrial and employment designations, unless Metro's objectives are met. The amendments also further limit the total amount of retail sales and service uses that may locate on a site in an industrial zone. Lastly, the amendments ensure that any non-industrial uses that are allowed through a conditional use review do not have an adverse impact on the area's capacity for truck and freight movement.

30. **Title 7, Housing Choice**, ensures opportunities for affordable housing at all income levels and calls for a choice of housing types. In general the amendments are consistent with this title because they do not alter the city's policy on affordable housing

The amendments to the manufactured housing and manufactured dwelling park regulations directly support this title, by bringing the city's regulations into compliance with state law. This eliminates confusion between state and local requirements. This consistency allows the option for the placement of manufactured homes on a lot which provides alternatives to stick built homes, in support of objectives for affordable housing.

Findings on Portland's Comprehensive Plan Goals

31. The City's Comprehensive Plan was adopted by the Portland City Council on October 16, 1980, and was acknowledged as being in conformance with the statewide planning goals by the Land Conservation and Development Commission on May 1, 1981. On May 26, 1995, the LCDC completed its review of the City's final local periodic review order and periodic review work program, and reaffirmed the plan's compliance with statewide planning goals.
32. The following goals, policies, and objectives of the Portland Comprehensive Plan are relevant and applicable to RICAP 4.
33. **Goal 1, Metropolitan Coordination**, calls for the Comprehensive Plan to be coordinated with federal and state law and to support regional goals, objectives and plans. In general, the amendments are consistent with this goal because they do not change policy or intent of existing regulations relating to metropolitan coordination and regional goals.

Two amendments specifically support this goal. The amendments to the city's industrial and employment regulations ensure compliance with Metro's regional goals, specifically, Title 4. The amendments to the city's manufactured home and manufactured dwelling park regulations ensure consistency with current state law as stated in ORS and the State Manufactured Dwelling and Park Specialty Code.

34. **Policy 1.4, Intergovernmental Coordination**, requires continuous participation in intergovernmental affairs with public agencies to coordinate metropolitan planning and project

development and maximize the efficient use of public funds. The amendments support this policy because a number of other government agencies were notified of this proposal and given the opportunity to comment. These agencies include Metro, Multnomah County Planning, and the Oregon Department of Land Conservation and Development. For the amendments to the city's industrial and employment regulations, staff consulted with Metro during the creation of the amendments.

35. **Goal 2, Urban Development**, calls for maintaining Portland's role as the major regional employment and population center by expanding opportunities for housing and jobs, while retaining the character of established residential neighborhoods and business centers.

The amendments support this goal because they are aimed at updating and improving the City's land use regulations and procedures that hinder desirable development. By improving regulations, the City will better facilitate the development of housing and employment uses. In addition, bringing the city's regulations into conformance with Metro's Urban Growth Management Functional Plan ensures consistency with Metro's goals for urban development within the city.

36. **Goal 3, Neighborhoods**, calls for the preservation and reinforcement of the stability and diversity of the city's neighborhoods while allowing for increased density. The amendments are consistent with this goal because they do not change the policy or intent of existing regulations relating to the stability and diversity of neighborhoods.

37. **Goal 4, Housing**, calls for enhancing Portland's vitality as a community at the center of the region's housing market by providing housing of different types, density, sizes, costs and locations that accommodates the needs, preferences, and financial capabilities of current and future households. In general the provisions in RICAP 4 support this goal by improving the clarity of the regulations. The following amendments are directly supportive of Goal 4. See also findings for Statewide Planning Goal 10, Housing and Metro Titles 1 & 7.

- Regulations affecting land divisions. The amendments, based upon the land division monitoring report, support Goal 4 by clarifying the regulations that apply to the creation of lots through land divisions and ensuring better designed land divisions and development. Amendments include revised regulations addressing flag lots, narrow lots, planned developments, and the placement of alleys within the site. Regulations are also amended to clarify the desired development on corner lots, narrow lots, and within planned developments, as well as how garages are to be included within narrow houses. These amendments better meet the intent of the Land Division Code Rewrite, completed in 2002.
- Regulations affecting manufactured homes and manufactured dwelling parks. These amendments bring the city's regulations into compliance with state law for manufactured homes and manufactured dwelling parks. This eliminates confusion between state and local requirements. This consistency allows the option for the placement of manufactured homes on a lot which provides alternatives to stick built homes, in support of city goals for creating a range of housing.
- Regulations affecting accessory dwelling units. This amendment clarifies how living area is calculated for accessory dwelling units, to be consistent with the uniform building code as stated in the Oregon Structural Specialty Code.

38. **Goal 5, Economic Development**, calls for the promotion of a strong and diverse economy that provides a full range of employment and economic choices for individuals and families in all parts of the city. All of the amendments are consistent with Goal 5 because they update and improve City land use regulations and procedures that hinder desirable development. Improving land use

regulations to make them clear and easily implemented has positive effects on economic development. The following amendments are directly supportive of Goal 9.

- Regulations affecting industrial and employment lands. These amendments support Goal 9 by ensuring that adequate lands are available for industrial and employment uses within the city of Portland. These amendments bring the city into compliance with recent changes made to Metro's Urban Growth Management Functional Plan, specifically Title 4. See also the findings for Metro's Title 4.
- Regulations affecting Day Care Uses. This amendment updates the city's definition of a day care use so that family day care facilities as defined in the state codes are not included. This removes the inconsistency between state and city regulations for family day care operators working out of their home.

39. **Goal 6, Transportation**, calls for developing a balanced, equitable, and efficient transportation system that provides a range of transportation choices; reinforces the livability of neighborhoods; supports a strong and diverse economy; reduces air, noise, and water pollution; and lessens reliance on the automobile while maintaining accessibility. The amendments are consistent with this goal because they do not change the policy or intent of existing regulations relating to transportation.

The following amendments are directly supportive of Goal 6. See also findings for Statewide Planning Goal 12, Transportation.

- Regulations affecting industrial and employment lands. As part of the amendments to the industrial and employment land designations, additional approval criteria are added to the city's conditional use review to ensure that certain uses will not impact the city's existing truck and freight movement facilities.
- Regulations affecting land divisions. As part of the amendments to the land division code, the current regulations for private and public alleys are being clarified as are the regulations for the interaction of public streets and driveway curb cuts to ensure a more efficient use of land and reduce conflicts between vehicles and pedestrians.

40. **Goal 9, Citizen Involvement**, calls for improved methods and ongoing opportunities for citizen involvement in the land use decision-making process, and the implementation, review, and amendment of the Comprehensive Plan. This project followed the process and requirements specified in Chapter 33:740, Legislative Procedure. The amendments support this goal for the reasons found in the findings for Statewide Planning Goal 1, Citizen Involvement.

41. **Goal 10, Plan Review and Administration**, includes several policies and objectives. Policy 10.10, Amendments to the Zoning and Subdivision Regulations, directs that amendments to the zoning and subdivision regulations should be clear, concise, and applicable to the broad range of development situations faced by a growing, urban city.

All of the amendments are supportive of Policy 10.10 because they clarify and streamline many of the regulations in the Zoning Code. They also respond to identified current and anticipated problems, including barriers to desirable development, and will help ensure that Portland remains competitive with other jurisdictions as a location in which to live, invest, and do business.

42. **Goal 11, Public Facilities**, includes a wide range of goals and policies. **Goal 11-A** calls for provision of a timely, orderly and efficient arrangement of public facilities and services that support existing and planned land use patterns and densities. **Goal 11-B** calls for improvements to the quality of Portland's transportation system. As part of the amendments to the land division code, the regulations for private and public alleys are clarified as are the regulations for the interaction of

public streets and driveway curb cuts to ensure a more efficient use of land and reduce conflicts between vehicles and pedestrians.

43. **Goal 12, Urban Design**, calls for enhancing Portland as a livable city, attractive in its setting and dynamic in its urban character by preserving its history and building a substantial legacy of quality private developments and public improvements for future generations.

Policy 12.3 calls for enhancing the City's identity through protection of Portland's significant historic resources. The amendments addressing the regulation of historic resources subsequently added to an existing historic or conservation district aid in ensuring the preservation of these resources.

Policy 12.1 calls for enhancing and extending Portland's attractive identity. **Policy 12.6** calls for ways for new development projects to respect and strengthen neighborhood values. Several amendments to the land division code allow planners to have more discretion in considering the context of proposed land divisions and planned developments.

NOW, THEREFORE, the Council directs:

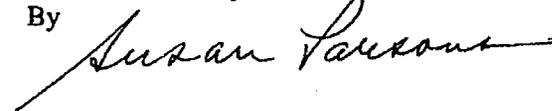
- a. Adopt Exhibit A, *Regulatory Improvement Code Amendment Package 4 (RICAP 4): Planning Commission Recommended Draft*, dated November 17, 2008, with the exception of the amendments to the retail limits on Division Street located on pages 96 and 97, which are subject to a separate ordinance;
- b. Amend Title 33, Planning and Zoning as shown in Exhibit A, *Regulatory Improvement Code Amendment Package 4 (RICAP 4): Planning Commission Recommended Draft*, dated November 17, 2008, with the exception of the amendments to the retail limits on Division Street located on pages 96 and 97, which are subject to a separate ordinance;
- c. Adopt the commentary and discussion in Exhibit A, *Regulatory Improvement Code Amendment Package 4 (RICAP 4): Planning Commission Recommended Draft*, dated November 17, 2008, as legislative intent and further findings, with the exception of the amendments to the retail limits on Division Street located on pages 96 and 97, which are subject to a separate ordinance; and
- d. Direct staff to monitor the effect of the other amendments as part of their overall monitoring program.

Passed by the Council: DEC 17 2008

GARY BLACKMER

Auditor of the City of Portland

By



MAYOR TOM POTTER

Deputy

Prepared by:
Phil Nameny Bureau of Planning
November 21, 2008

Language to be **added** is underlined
 Language to be **deleted** is shown in ~~strikethrough~~

**(REPLACEMENT OF ORIGINAL PAGE 177 & 179
 IN RECOMMENDED DRAFT)**

**CHAPTER 33.810
 COMPREHENSIVE PLAN MAP AMENDMENTS**

33.810.010 Purpose

This chapter states the procedures and review criteria necessary to process a Comprehensive Plan Map amendment. The chapter distinguishes between amendments which are processed in a quasi-judicial manner and those processed in a legislative manner. A discussion of quasi-judicial and legislative are found in 33.700.070.H.

33.810.050 Approval Criteria

A. Quasi-Judicial. Amendments to the Comprehensive Plan Map that are quasi-judicial will be approved if the review body finds that the applicant has shown that all of the following criteria are met:

1. The requested designation for the site has been evaluated against relevant Comprehensive Plan policies and on balance has been found to be equally or more supportive of the Comprehensive Plan as a whole than the old designation;
2. When the requested amendment is [No change – This criteria address housing needs and the housing pool.];
3. When the requested amendment is is for a site within the Guild's Lake Industrial Sanctuary plan district and involves a change from ~~an~~ the Industrial Sanctuary or Mixed Employment Comprehensive Plan Map designation ~~to any other designation~~, in order to prevent the displacement of industrial and employment uses and preserve land primarily for these industrial uses, the following criteria must also be met:
 - a. The uses allowed by the proposed designation will not have significant adverse effects on industrial and employment uses in the areaplan district or compromise the area's ~~district's~~ overall industrial character;
 - b. The transportation system is capable of safely supporting the uses allowed by the proposed designation in addition to the existing uses in the areaplan district. Evaluation factors include street capacity and level of service, truck circulation, access to arterials, transit availability, on-street parking impacts, site access requirements, neighborhood impacts, and pedestrian and bicycle circulation and safety;
 - c. The uses allowed by the proposed designation will not significantly interfere with industrial use of the transportation system in the areaplan district, including truck, rail, air, and marine facilities; ~~and~~

PROPOSED ZONING CODE LANGUAGE

Language to be **added** is underlined
Language to be **deleted** is shown in ~~strikethrough~~

- d. The site does not have direct access to special industrial services such as multimodal freight movement facilities ~~or industrial pipelines~~.
- e. The proposed designation will preserve the physical continuity of the area designated as Industrial Sanctuary or Mixed Employment ~~within the plan district~~ and not result in a discontinuous zoning pattern.;
- f. The uses allowed by the proposed designation will not reduce the ability of Portland's Central City, Regional or Town Centers to attract or retain the principal retail, cultural, and civic facilities and;
- ~~g. If the proposed designation for the site is not Industrial Sanctuary or Mixed Employment, one of the following must be met:~~
 - ~~(1) The uses allowed by the proposed designation will not result in a loss of job capacity for the site; or~~
 - ~~(2) If there will be a loss of job capacity on the site, the proposal will not reduce Portland's ability to meet the job capacity goals for Portland as identified on Table 3.07 1 of Title 1 of Metro's Urban Growth Management Functional Plan; and~~
- gh. The size of the area that may be given a new Comprehensive Plan Map designation is as follows:
 - (1) If the site is designated Industrial Sanctuary, and Metro also has designated the site as part of a Regionally Significant Industrial Area, no more than 10 acres may be given a new Comprehensive Plan Map designation;
 - (2) If the site is designated Industrial Sanctuary, and Metro has designated the site as an Industrial Area, but not as part of a Regionally Significant Industrial Area, no more than 20 acres may be given a new Comprehensive Plan Map designation;
 - (3) If the site is designated Industrial Sanctuary, and Metro has designated the site as an Employment Area, no more than 40 acres may be given a new Comprehensive Plan Map designation;
 - (4) If the site is designated Mixed Employment, no more than 40 acres may be given a new Comprehensive Plan Map designation.
 - (5) Exception. If the site is not designated as industrial or employment by Metro, these size limits do not apply.

B. Legislative. Amendments to the Comprehensive Plan Map which are legislative must be found to be consistent with the goals and policies of the Comprehensive Plan, Metro's Urban Growth Management Functional Plan, the Statewide Planning Goals, and any relevant area plans adopted by the City Council.

PROPOSED ZONING CODE LANGUAGE

Language to be **added** is underlined
Language to be **deleted** is shown in ~~strikethrough~~

(Note: We are also noting that the language in the Recommended Draft affecting Title 17 will actually be heard at a future City Council hearing, and so no decision is necessary on that part of the proposal.)

The complete copy of this draft (246 pages) is
in the Weekly Board Agenda Packet on line (R-5)
<http://www.co.multnomah.or.us/cc/WeeklyAgendaPacket/>

Regulatory Improvement Workplan

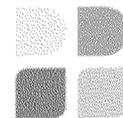
**Regulatory
Improvement
Code
Amendment
Package 4**

(RICAP 4)



**Planning Commission
Recommended Draft**

November 17, 2008



CITY OF PORTLAND
BUREAU OF
PLANNING



BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 1127

Amending County Land Use Code, Plans and Maps to Adopt Portland's Recent Land Use Code, Comprehensive Plan and Map Revisions Related to the Regulatory Improvement Code Amendment Package 4 in Compliance with Metro's Functional Plan and Declaring an Emergency

The Multnomah County Board of Commissioners Finds:

- a. The Board of County Commissioners (Board) adopted Resolution A in 1983 which directed the County services towards rural services rather than urban.
- b. In 1996, Metro adopted the Functional Plan for the region, mandating that jurisdictions comply with the goals and policies adopted by the Metro Council.
- c. In 1998, the County and the City of Portland (City) amended the Urban Planning Area Agreement to include an agreement that the City would provide planning services to achieve compliance with the Functional Plan for those areas outside the City limits, but within the Urban Growth Boundary and Portland's Urban Services Boundary.
- d. It is impracticable to have the County Planning Commission conduct hearings and make recommendations on land use legislative actions pursuant to MCC 37.0710, within unincorporated areas inside the Urban Growth Boundary for which the City provides urban planning and permitting services. The Board intends to exempt these areas from the requirements of MCC 37.0710, and will instead consider the recommendations of the Portland Planning Commission and City Council when legislative matters for these areas are brought before the Board for action as required by intergovernmental agreement (County Contract #4600002792) (IGA).
- e. On December 4, 2008, the Board amended County land use codes, plans and maps to adopt the City's land use codes, plans and map amendments in compliance with Metro's Functional Plan by Ordinance 1123.
- f. Since the adoption of Ordinance 1123, the City's Planning Commission recommended land use code, plan and map amendments to the City Council through duly noticed public hearings.
- g. The City notified affected County property owners as required by the IGA.
- h. The City Council adopted the land use code, plan and map amendments set out in Section 1 below and attached as Exhibits 1 through 3. The IGA requires that the County adopt these amendments for the City planning and zoning administration within the affected areas.

Multnomah County Ordains as follows:

Section 1. The County Comprehensive Framework Plan, community plans, rural area plans, sectional zoning maps and land use code chapters are amended to include the City land use code, plan and map amendments, attached as Exhibits 1 through 3, effective on the same date as the respective Portland ordinance:

Exhibit No.	Description	Effective / Date
1	Ordinance adopting and implementing the Regulatory Improvement Code Amendment Package 4 and amending the Comprehensive Plan Map and Zoning Map (PDX Ord. #182429)	12/16/08
2	Planning Commission Recommendations to the Portland City Council regarding the Regulatory Improvement Code Amendment Package 4	11/17/08
3	Regulatory Improvement Code Amendment Package 4 Zoning Code Amendment Revisions	11/08

Section 2. In accordance with ORS 215.427(3), the changes resulting from Section 1 of this ordinance shall not apply to any decision on an application that is submitted before the applicable effective date of this ordinance and that is made complete prior to the applicable effective date of this ordinance or within 180 days of the initial submission of the application.

Section 3. In accordance with ORS 92.040(2), for any subdivisions for which the initial application is submitted before the applicable effective date of this ordinance, the subdivision application and any subsequent application for construction shall be governed by the County's land use regulations in effect as of the date the subdivision application is first submitted.

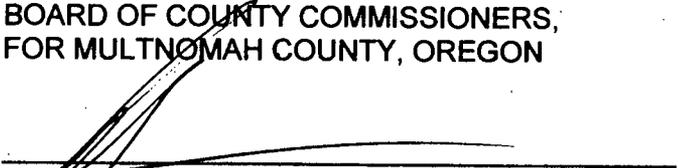
Section 4. Any future amendments to the legislative matters listed in Section 1 above, are exempt from the requirements of MCC 37.0710. The Board acknowledges, authorizes and agrees that the Portland Planning Commission will act instead of the Multnomah Planning Commission in the subject unincorporated areas using the City's own procedures, to include notice to and participation by County citizens. The Board will consider the recommendations of the Portland Planning Commission when legislative matters for County unincorporated areas are before the Board for action.

Section 5. An emergency is declared in that it is necessary for the health, safety and general welfare of the people of Multnomah County for this ordinance to take effect concurrent with the City code, plan and map amendments. Under section 5.50 of the Charter of Multnomah County, this ordinance will take effect in accordance with Section 1.

FIRST READING AND ADOPTION: January 15, 2009



BOARD OF COUNTY COMMISSIONERS,
FOR MULTNOMAH COUNTY, OREGON


Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By Sandra Duffy
Sandra N. Duffy, Assistant County Attorney

SUBMITTED BY:
M. Cecilia Johnson, Director, Department of Community Services

EXHIBIT LIST FOR ORDINANCE

1. Ordinance adopting and implementing the Regulatory Improvement Code Amendment Package 4 and amending the Comprehensive Plan Map and Zoning Map (PDX Ord. #182429).
2. Planning Commission Recommendations to the Portland City Council regarding the Regulatory Improvement Code Amendment Package 4
3. Regulatory Improvement Code Amendment Package 4 Zoning Code Amendment Revisions

Prior to adoption, this information is available electronically or for viewing at the Multnomah County Board of Commissioners and Agenda website (www.co.multnomah.or.us/cc/WeeklyAgendaPacket/). To obtain the adopted ordinance and exhibits electronically, please contact the Board Clerk at 503-988-3277. These documents may also be purchased on CD-Rom from the Land Use and Transportation Program. Contact the Planning Program at 503-988-3043 for further information.

ORDINANCE No. 182429

Improve land use regulations through the Regulatory Improvement Code Amendment Package 4
(Ordinance; amend Title 33)

The City of Portland Ordains:

Section 1. The Council finds:

General Findings

1. This project is part of the Regulatory Improvement Workplan, an ongoing program to improve City building and land use regulations and procedures. Each package of amendments is referred to as a Regulatory Improvement Code Amendment Package (RICAP), followed by a number.
2. During the Spring and Summer of 2007, staff from the Planning Bureau and the Bureau of Development Services (BDS) worked with the Regulatory Improvement Stakeholder Advisory Team (RISAT) to develop a workplan for the fourth Regulatory Improvement Code Amendment Package (RICAP 4). The RISAT includes participants from city bureaus and the community and advises staff.
3. The Planning Bureau coordinated with BDS to complete the Land Division Monitoring Report, which analyzed the results of the Land Division Rewrite Project, done in 2002. Planning and BDS agreed to incorporate several of the findings and issues illustrated in the Monitoring Report into the RICAP 4 workplan.
4. On July 24, 2007, the Planning Commission held a hearing to discuss and take testimony on the RICAP 4 workplan. The workplan consisted of 49 issues proposed for further research in order to find potential solutions. Three additional items were added during the research of the workplan items; two were added by the Bureau of Development Services and one by City Council, bringing the total to 52 items.
5. During the Winter of 2007 and Spring of 2008, Planning staff worked with BDS and RISAT to address the issues in the workplan.
6. During the Spring and Summer of 2008, Planning staff also worked with BDS and RISAT to develop a workplan for the fifth Regulatory Improvement Code Amendment Package (RICAP 5).
7. At the August 26, 2008 Planning Commission hearing on the workplan for RICAP 5, several members of the public requested that the regulations for Retail Sales and Service Uses for the Division Main Street be amended. This item is under separate ordinance.
8. After preliminary work on all of the issues, staff determined that several items did not warrant an amendment to the code. The amendments in RICAP 4 address 45 of the 52 issues initially included.
9. On August 27, 2008, notice of the proposed RICAP 4 code amendments was mailed to the Department of Land Conservation and Development in compliance with the post-acknowledgement review process required by ORS 197.610.

10. On September 11, 2008, notice was sent to all neighborhood associations and coalitions and business associations in the City of Portland, as well as persons involved in land divisions, industrial interests, manufactured dwellings, radio frequency facilities, and other interested persons to notify them of the Planning Commission hearing on the proposed code changes for RICAP 4.
11. On September 16, 2008, the *Regulatory Improvement Workplan: Regulatory Improvement Code Amendment Package 4 (RICAP 4) Proposed Draft* was published.
12. On October 14, 2008, the Planning Commission held a hearing on the *Regulatory Improvement Workplan: Regulatory Improvement Code Amendment Package 4 (RICAP 4), Proposed Draft*. Staff presented the proposal and public testimony was received.
13. On October 28, 2008, the Planning Commission heard additional testimony, and considered the *Staff Amendments to the Proposed Draft* for RICAP 4.
14. At the conclusion of the hearing on October 28, the Commission voted to recommend that City Council adopt the staff recommendation for RICAP 4, including the Staff Amendments presented at the hearing.
15. On December 10, 2008, City Council held a hearing on the *Regulatory Improvement Workplan: Regulatory Improvement Code Amendment Package 4 (RICAP 4), Planning Commission Recommended Draft*. Staff presented the proposal and public testimony was received. As part of this presentation, staff requested that regulations affecting Retail Sales And Service Uses on Division Street in the Main Street Corridor Overlay Zone be considered under separate ordinance.
16. On December 17, 2008, Council voted to adopt the *Regulatory Improvement Workplan: Regulatory Improvement Code Amendment Package 4 (RICAP 4), Planning Commission Recommended Draft* and amend the Zoning Code as shown in the report.

Findings on Statewide Planning Goals

17. State planning statutes require cities to adopt and amend comprehensive plans and land use regulations in compliance with state land use goals. Only the state goals addressed below apply.
18. **Goal 1, Citizen Involvement**, requires the provision of opportunities for citizens to be involved in all phases of the planning process. The preparation of these amendments has provided numerous opportunities for public involvement:
 - During 2007, Planning and BDS met monthly with the RISAT to review the selections proposed for the Regulatory Improvement Code Amendment Package 4 (RICAP 4) workplan.
 - On May 22, 2007, the Bureau of Development Services presented the Planning Commission with the findings of the Land Division Monitoring Report. This briefing was presented at a mobile session held in East Portland, and included stakeholders involved in land divisions who were invited to comment on the report.
 - On June 22, 2007 notice was sent to all neighborhood associations and coalitions, and business associations in the City of Portland, as well as other interested persons to notify them of the Planning Commission hearing for the RICAP 4 workplan.

- On July 2, 2007, the *Regulatory Improvement Code Amendment Package 4 -- Proposed Workplan* was published. The report was available to City bureaus and the public and mailed to all those requesting a copy. An electronic copy was posted to the Bureau's website.
 - On July 24, 2007, the Planning Commission held a public hearing on the RICAP 4 Proposed Workplan and heard testimony from citizens on the proposed issues. The Planning Commission voted to adopt the workplan, directing staff to work on code amendments on the 49 issues listed in the workplan.
 - On September 12, 2007, during the City Council hearing for RICAP 3, Council members heard testimony from interested parties in the Gateway open area requirements. The Council members advised staff to continue working on the Gateway open area amendments as part of the RICAP 4 workplan.
 - During the fall and winter of 2007 and 2008, staff met monthly with the RISAT to discuss proposed code solutions.
 - On August 8, 2008, notice was sent to all neighborhood associations and coalitions, and business associations in the City of Portland, as well as persons involved in land divisions, industrial interests, manufactured dwellings, radio frequency facilities, and other interested persons to notify them of the release of the *RICAP 4 Discussion Draft* and the provision of two open houses.
 - On August 19, and August 21, 2008, staff held two open houses. The first open house was held in the Midland Library in East Portland, and the second was held downtown. 16 people attended the two open houses.
 - On September 11, 2008, notice was sent to all neighborhood associations and coalitions, and business associations in the City of Portland, as well as persons involved in land divisions, industrial interests, manufactured dwellings, radio frequency facilities, the Division Green Street / Main Street Plan, and selected persons in the Laurelhurst and Eastmoreland plan districts. The notice was for the Planning Commission Hearing on the staff proposal for the Regulatory Improvement Code Amendment Package 4 (RICAP 4) and to announce the availability of the Proposed Draft.
 - On September 16, 2008, the *Regulatory Improvement Code Amendment Package 4 (RICAP 4) Proposed Draft* was published. The report explained the proposed amendments to the Zoning Code. The report was available to City bureaus and the public and mailed to all those requesting a copy. An electronic copy was posted to the Bureau's website.
 - On October 14 and 28, 2008, the Planning Commission held public hearings to discuss and take testimony on the report.
 - On November 21, 2008, notice was sent to those who testified at the Planning Commission hearings, and to people interested in RICAP 4, of the proposed City Council hearing on the Planning Commission recommendation for RICAP 4.
 - On December 10, 2008, the City Council held a public hearing to discuss and take testimony on the recommendations from the Planning Commission.
19. **Goal 2, Land Use Planning**, requires the development of a process and policy framework that acts as a basis for all land use decisions and assures that decisions and actions are based on an understanding of the facts relevant to the decision. The amendments support this goal because

development of the recommendations followed established city procedures for legislative actions, while also improving the clarity and comprehensibility of the City's codes.

20. **Goals 3 and 4, Architectural Lands and Forest Lands** requires the preservation and maintenance of the state's agricultural and forest lands, generally located outside of urban areas. The amendments to the city's industrial and employment areas are consistent with this goal because they support the more efficient use of industrial and employment lands within the city, thereby reducing development pressure on agricultural and forest lands outside of urban areas.
21. **Goal 5, Open Space, Scenic and Historic Areas, and Natural Resources**, requires the conservation of open space and the protection of natural and scenic resources. The amendments addressing the regulation of historic resources subsequently added to an existing historic or conservation district aid in ensuring the preservation of these resources.
22. **Goal 8, Recreational Needs**, requires satisfaction of the recreational needs of both citizens and visitors to the state. The amendments are consistent with this goal because they clarify under what circumstances the open space requirement is triggered within the Gateway Plan District.
23. **Goal 9, Economic Development**, requires the provision of adequate opportunities for a variety of economic activities vital to public health, welfare and prosperity. In general the provisions in RICAP 4 support this goal by improving the clarity of regulations. The following amendments are directly supportive of Goal 9.
 - Regulations affecting industrial and employment lands. These amendments support Goal 9 by ensuring that adequate lands are available for industrial and employment uses within the city of Portland. These amendments bring the city into compliance with recent changes made to Metro's Urban Growth Management Functional Plan, specifically Title 4. See also the findings for Metro's Title 4.
 - Regulations affecting Day Care Uses. This amendment updates the city's definition of a day care use so that family day care facilities, as defined in the state codes, are not included. This removes an inconsistency between state and city regulations for family day care operators working out of their home.
24. **Goal 10, Housing**, requires provision for the housing needs of citizens of the state. In general, the provisions in RICAP 4 support this goal by improving the clarity of regulations. The following amendments are directly supportive of Goal 10. See also findings for Portland Comprehensive Plan Goal 4, Housing and Metro Titles 1 & 7.
 - Regulations affecting land divisions. The amendments, based upon the land division monitoring report, support Goal 10 by clarifying the regulations that apply to the creation of lots through land divisions and ensuring better designed land divisions and development. Amendments
 - placement of alleys within the site. Regulations are also amended to clarify the desired development on corner lots, narrow lots, and within planned developments, as well as how garages are to be included within narrow houses. These amendments better meet the intent of the Land Division Code Rewrite, completed in 2002.
 - Regulations affecting manufactured homes and manufactured dwelling parks. These amendments bring the city's regulations into compliance with state law for manufactured homes and manufactured dwelling parks. This eliminates confusion between state and local requirements. This consistency allows the option for the placement of manufactured homes on a

lot which provides alternatives to stick built homes, in support of state affordable housing objectives.

- Regulations affecting accessory dwelling units. This amendment clarifies how living area is calculated for accessory dwelling units, to be consistent with the uniform building code as stated in the Oregon Structural Specialty Code.
25. **Goal 11, Public Facilities and Services**, requires planning and development of a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for development. The amendments affecting the land divisions support this goal by clarifying the regulations that apply to land divisions and the requirements for public alleys, and the interaction between streets and driveways.
26. **Goal 12, Transportation**, requires provision of a safe, convenient, and economic transportation system. The amendments are consistent with this goal, because they do not change the policy or intent of any of the existing regulations pertaining to transportation.

The Oregon Transportation Planning Rule (TPR) was adopted in 1991 and amended in 1996 and 2005 to implement State Goal 12. The TPR requires certain findings if the proposed regulation will significantly affect an existing or planned transportation facility.

This proposal will not have a significant effect on existing or planned transportation facilities because the amendments do not result in increases in jobs, housing units, or density. For the most part, they clarify existing regulations. The following amendments specifically support this goal:

- Regulations affecting industrial and employment lands. Within the city's industrial and employment land designations, additional approval criteria are added to the city's conditional use review to ensure that certain uses will not impact the city's existing truck and freight movement facilities.
- Regulations affecting land divisions. As part of the amendments to the land division code, the current regulations for private and public alleys are being clarified as are the regulations for the interaction of public streets and driveway curb cuts to ensure a more efficient use of land and reduce conflicts between vehicles and pedestrians.

Findings on Metro Urban Growth Management Functional Plan

27. The following elements of the Metro Urban Growth Management Functional Plan are relevant and applicable to the RICAP 4 amendments.
28. **Title 1, Requirements for Housing and Employment Accommodation**, requires that each jurisdiction contribute its fair share to increasing the development capacity of land within the Urban Growth Boundary. This requirement is to be generally implemented through citywide analysis based on calculated capacities from land use designations. In general, the amendments are consistent with this title because they do not significantly alter the development capacity of the city.

The amendments to the city's industrial and employment lands specifically address this Title by ensuring that any legislative amendments or quasi-judicial requests to remove industrial or employment lands from the city's comprehensive plan map address Metro's goals, including the jobs capacity goal for the city.

29. **Title 4, Industrial and Other Employment Areas**, seeks to provide and protect a supply of sites for employment by limiting the types and scale of non-industrial uses in Regionally Significant Industrial Areas, (RSIAs), Industrial and Employment Areas. Title 4 also seeks to protect the capacity and efficiency of the region's transportation system for the movement of goods and services. In general, the amendments are consistent with this title because they do not significantly alter the city's policy on Industrial and Employment Areas.

One set of amendments specifically supports Title 4. Amendments to regulations in the city's industrial and employment areas ensure that there continues to be adequate land within the city for the siting of industrial and employment uses. This is accomplished by limiting the ability for applicants to divide vacant industrial land, or remove land from industrial and employment designations, unless Metro's objectives are met. The amendments also further limit the total amount of retail sales and service uses that may locate on a site in an industrial zone. Lastly, the amendments ensure that any non-industrial uses that are allowed through a conditional use review do not have an adverse impact on the area's capacity for truck and freight movement.

30. **Title 7, Housing Choice**, ensures opportunities for affordable housing at all income levels and calls for a choice of housing types. In general the amendments are consistent with this title because they do not alter the city's policy on affordable housing

The amendments to the manufactured housing and manufactured dwelling park regulations directly support this title, by bringing the city's regulations into compliance with state law. This eliminates confusion between state and local requirements. This consistency allows the option for the placement of manufactured homes on a lot which provides alternatives to stick built homes, in support of objectives for affordable housing.

Findings on Portland's Comprehensive Plan Goals

31. The City's Comprehensive Plan was adopted by the Portland City Council on October 16, 1980, and was acknowledged as being in conformance with the statewide planning goals by the Land Conservation and Development Commission on May 1, 1981. On May 26, 1995, the LCDC completed its review of the City's final local periodic review order and periodic review work program, and reaffirmed the plan's compliance with statewide planning goals.
32. The following goals, policies, and objectives of the Portland Comprehensive Plan are relevant and applicable to RICAP 4.
33. **Goal 1, Metropolitan Coordination**, calls for the Comprehensive Plan to be coordinated with federal and state law and to support regional goals, objectives and plans. In general, the amendments are consistent with this goal because they do not change policy or intent of existing regulations relating to metropolitan coordination and regional goals.

Two amendments specifically support this goal. The amendments to the city's industrial and employment regulations ensure compliance with Metro's regional goals, specifically, Title 4. The amendments to the city's manufactured home and manufactured dwelling park regulations ensure consistency with current state law as stated in ORS and the State Manufactured Dwelling and Park Specialty Code.

34. **Policy 1.4, Intergovernmental Coordination**, requires continuous participation in intergovernmental affairs with public agencies to coordinate metropolitan planning and project

development and maximize the efficient use of public funds. The amendments support this policy because a number of other government agencies were notified of this proposal and given the opportunity to comment. These agencies include Metro, Multnomah County Planning, and the Oregon Department of Land Conservation and Development. For the amendments to the city's industrial and employment regulations, staff consulted with Metro during the creation of the amendments.

35. **Goal 2, Urban Development**, calls for maintaining Portland's role as the major regional employment and population center by expanding opportunities for housing and jobs, while retaining the character of established residential neighborhoods and business centers.

The amendments support this goal because they are aimed at updating and improving the City's land use regulations and procedures that hinder desirable development. By improving regulations, the City will better facilitate the development of housing and employment uses. In addition, bringing the city's regulations into conformance with Metro's Urban Growth Management Functional Plan ensures consistency with Metro's goals for urban development within the city.

36. **Goal 3, Neighborhoods**, calls for the preservation and reinforcement of the stability and diversity of the city's neighborhoods while allowing for increased density. The amendments are consistent with this goal because they do not change the policy or intent of existing regulations relating to the stability and diversity of neighborhoods.

37. **Goal 4, Housing**, calls for enhancing Portland's vitality as a community at the center of the region's housing market by providing housing of different types, density, sizes, costs and locations that accommodates the needs, preferences, and financial capabilities of current and future households. In general the provisions in RJCAP 4 support this goal by improving the clarity of the regulations. The following amendments are directly supportive of Goal 4. See also findings for Statewide Planning Goal 10, Housing and Metro Titles 1 & 7.

- Regulations affecting land divisions. The amendments, based upon the land division monitoring report, support Goal 4 by clarifying the regulations that apply to the creation of lots through land divisions and ensuring better designed land divisions and development. Amendments include revised regulations addressing flag lots, narrow lots, planned developments, and the placement of alleys within the site. Regulations are also amended to clarify the desired development on corner lots, narrow lots, and within planned developments, as well as how garages are to be included within narrow houses. These amendments better meet the intent of the Land Division Code Rewrite, completed in 2002.
- Regulations affecting manufactured homes and manufactured dwelling parks. These amendments bring the city's regulations into compliance with state law for manufactured homes and manufactured dwelling parks. This eliminates confusion between state and local requirements. This consistency allows the option for the placement of manufactured homes on a lot which provides alternatives to stick built homes, in support of city goals for creating a range of housing.
- Regulations affecting accessory dwelling units. This amendment clarifies how living area is calculated for accessory dwelling units, to be consistent with the uniform building code as stated in the Oregon Structural Specialty Code.

38. **Goal 5, Economic Development**, calls for the promotion of a strong and diverse economy that provides a full range of employment and economic choices for individuals and families in all parts of the city. All of the amendments are consistent with Goal 5 because they update and improve City land use regulations and procedures that hinder desirable development. Improving land use

regulations to make them clear and easily implemented has positive effects on economic development. The following amendments are directly supportive of Goal 9.

- Regulations affecting industrial and employment lands. These amendments support Goal 9 by ensuring that adequate lands are available for industrial and employment uses within the city of Portland. These amendments bring the city into compliance with recent changes made to Metro's Urban Growth Management Functional Plan, specifically Title 4. See also the findings for Metro's Title 4.
 - Regulations affecting Day Care Uses. This amendment updates the city's definition of a day care use so that family day care facilities as defined in the state codes are not included. This removes the inconsistency between state and city regulations for family day care operators working out of their home.
39. **Goal 6, Transportation**, calls for developing a balanced, equitable, and efficient transportation system that provides a range of transportation choices; reinforces the livability of neighborhoods; supports a strong and diverse economy; reduces air, noise, and water pollution; and lessens reliance on the automobile while maintaining accessibility. The amendments are consistent with this goal because they do not change the policy or intent of existing regulations relating to transportation.

The following amendments are directly supportive of Goal 6. See also findings for Statewide Planning Goal 12, Transportation.

- Regulations affecting industrial and employment lands. As part of the amendments to the industrial and employment land designations, additional approval criteria are added to the city's conditional use review to ensure that certain uses will not impact the city's existing truck and freight movement facilities.
 - Regulations affecting land divisions. As part of the amendments to the land division code, the current regulations for private and public alleys are being clarified as are the regulations for the interaction of public streets and driveway curb cuts to ensure a more efficient use of land and reduce conflicts between vehicles and pedestrians.
40. **Goal 9, Citizen Involvement**, calls for improved methods and ongoing opportunities for citizen involvement in the land use decision-making process, and the implementation, review, and amendment of the Comprehensive Plan. This project followed the process and requirements specified in Chapter 33:740, Legislative Procedure. The amendments support this goal for the reasons found in the findings for Statewide Planning Goal 1, Citizen Involvement.
41. **Goal 10, Plan Review and Administration**, includes several policies and objectives. Policy 10.10, Amendments to the Zoning and Subdivision Regulations, directs that amendments to the zoning and subdivision regulations should be clear, concise, and applicable to the broad range of development situations faced by a growing, urban city.

All of the amendments are supportive of Policy 10.10 because they clarify and streamline many of the regulations in the Zoning Code. They also respond to identified current and anticipated problems, including barriers to desirable development, and will help ensure that Portland remains competitive with other jurisdictions as a location in which to live, invest, and do business.

42. **Goal 11, Public Facilities**, includes a wide range of goals and policies. **Goal 11-A** calls for provision of a timely, orderly and efficient arrangement of public facilities and services that support existing and planned land use patterns and densities. **Goal 11-B** calls for improvements to the quality of Portland's transportation system. As part of the amendments to the land division code, the regulations for private and public alleys are clarified as are the regulations for the interaction of

public streets and driveway curb cuts to ensure a more efficient use of land and reduce conflicts between vehicles and pedestrians.

43. **Goal 12, Urban Design**, calls for enhancing Portland as a livable city, attractive in its setting and dynamic in its urban character by preserving its history and building a substantial legacy of quality private developments and public improvements for future generations.

Policy 12.3 calls for enhancing the City's identity through protection of Portland's significant historic resources. The amendments addressing the regulation of historic resources subsequently added to an existing historic or conservation district aid in ensuring the preservation of these resources.

Policy 12.1 calls for enhancing and extending Portland's attractive identity. **Policy 12.6** calls for ways for new development projects to respect and strengthen neighborhood values. Several amendments to the land division code allow planners to have more discretion in considering the context of proposed land divisions and planned developments.

NOW, THEREFORE, the Council directs:

- a. Adopt Exhibit A, *Regulatory Improvement Code Amendment Package 4 (RICAP 4): Planning Commission Recommended Draft*, dated November 17, 2008, with the exception of the amendments to the retail limits on Division Street located on pages 96 and 97, which are subject to a separate ordinance;
- b. Amend Title 33, Planning and Zoning as shown in Exhibit A, *Regulatory Improvement Code Amendment Package 4 (RICAP 4): Planning Commission Recommended Draft*, dated November 17, 2008, with the exception of the amendments to the retail limits on Division Street located on pages 96 and 97, which are subject to a separate ordinance;
- c. Adopt the commentary and discussion in Exhibit A, *Regulatory Improvement Code Amendment Package 4 (RICAP 4): Planning Commission Recommended Draft*, dated November 17, 2008, as legislative intent and further findings, with the exception of the amendments to the retail limits on Division Street located on pages 96 and 97, which are subject to a separate ordinance; and
- d. Direct staff to monitor the effect of the other amendments as part of their overall monitoring program.

Passed by the Council: DEC 17 2008

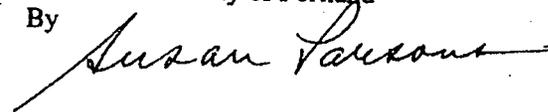
MAYOR TOM POTTER

Prepared by:
Phil Nameny Bureau of Planning
November 21, 2008

GARY BLACKMER

Auditor of the City of Portland

By



Deputy

PROPOSED ZONING CODE LANGUAGE

Language to be **added** is underlined
Language to be **deleted** is shown in ~~strikethrough~~

(REPLACEMENT OF ORIGINAL PAGE 177 & 179 IN RECOMMENDED DRAFT)

CHAPTER 33.810 COMPREHENSIVE PLAN MAP AMENDMENTS

33.810.010 Purpose

This chapter states the procedures and review criteria necessary to process a Comprehensive Plan Map amendment. The chapter distinguishes between amendments which are processed in a quasi-judicial manner and those processed in a legislative manner. A discussion of quasi-judicial and legislative are found in 33.700.070.H.

33.810.050 Approval Criteria

- A. Quasi-Judicial.** Amendments to the Comprehensive Plan Map that are quasi-judicial will be approved if the review body finds that the applicant has shown that all of the following criteria are met:
1. The requested designation for the site has been evaluated against relevant Comprehensive Plan policies and on balance has been found to be equally or more supportive of the Comprehensive Plan as a whole than the old designation;
 2. When the requested amendment is [No change – This criteria address housing needs and the housing pool.];
 3. When the requested amendment is is for a site within the Guild's Lake Industrial Sanctuary plan district and involves a change from ~~an~~ the Industrial Sanctuary or Mixed Employment Comprehensive Plan Map designation to any other designation, in order to prevent the displacement of industrial and employment uses and preserve land primarily for these industrial uses, the following criteria must also be met:
 - a. The uses allowed by the proposed designation will not have significant adverse effects on industrial and employment uses in the areaplan district or compromise the area's district's overall industrial character;
 - b. The transportation system is capable of safely supporting the uses allowed by the proposed designation in addition to the existing uses in the areaplan district. Evaluation factors include street capacity and level of service, truck circulation, access to arterials, transit availability, on-street parking impacts, site access requirements, neighborhood impacts, and pedestrian and bicycle circulation and safety;
 - c. The uses allowed by the proposed designation will not significantly interfere with industrial use of the transportation system in the areaplan district, including truck, rail, air, and marine facilities; ~~and~~

PROPOSED ZONING CODE LANGUAGE

Language to be **added** is underlined
Language to be **deleted** is shown in ~~strike through~~

- d. The site does not have direct access to special industrial services such as multimodal freight movement facilities ~~or industrial pipelines~~;
 - e. The proposed designation will preserve the physical continuity of the area designated as Industrial Sanctuary ~~or Mixed Employment~~ within the plan district and not result in a discontinuous zoning pattern;
 - f. The uses allowed by the proposed designation will not reduce the ability of Portland's Central City, Regional or Town Centers to attract or retain the principal retail, cultural, and civic facilities and;
 - ~~g. If the proposed designation for the site is not Industrial Sanctuary or Mixed Employment, one of the following must be met:~~
 - ~~(1) The uses allowed by the proposed designation will not result in a loss of job capacity for the site; or~~
 - ~~(2) If there will be a loss of job capacity on the site, the proposal will not reduce Portland's ability to meet the job capacity goals for Portland as identified on Table 3.07-1 of Title 1 of Metro's Urban Growth Management Functional Plan; and~~
 - gh. The size of the area that may be given a new Comprehensive Plan Map designation is as follows:
 - (1) If the site is designated Industrial Sanctuary, and Metro also has designated the site as part of a Regionally Significant Industrial Area, no more than 10 acres may be given a new Comprehensive Plan Map designation;
 - (2) If the site is designated Industrial Sanctuary, and Metro has designated the site as an Industrial Area, but not as part of a Regionally Significant Industrial Area, no more than 20 acres may be given a new Comprehensive Plan Map designation;
 - (3) If the site is designated Industrial Sanctuary, and Metro has designated the site as an Employment Area, no more than 40 acres may be given a new Comprehensive Plan Map designation;
 - (4) If the site is designated Mixed Employment, no more than 40 acres may be given a new Comprehensive Plan Map designation.
 - (5) Exception. If the site is not designated as industrial or employment by Metro, these size limits do not apply.
- B. Legislative.** Amendments to the Comprehensive Plan Map which are legislative must be found to be consistent with the goals and policies of the Comprehensive Plan, Metro's Urban Growth Management Functional Plan, the Statewide Planning Goals, and any relevant area plans adopted by the City Council.

PROPOSED ZONING CODE LANGUAGE

Language to be **added** is underlined
Language to be **deleted** is shown in ~~striketrough~~

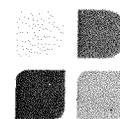
(Note: We are also noting that the language in the Recommended Draft affecting Title 17 will actually be heard at a future City Council hearing, and so no decision is necessary on that part of the proposal.)

Regulatory Improvement Workplan



Regulatory Improvement Code Amendment Package 4

(RICAP 4)



CITY OF PORTLAND
BUREAU OF
PLANNING

**Planning Commission
Recommended Draft**

November 17, 2008





MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (revised 09/22/08)

Board Clerk Use Only

Meeting Date: 01/15/09
Agenda Item #: R-6
Est. Start Time: 9:55 AM
Date Submitted: 01/05/09

Agenda Title: **RESOLUTION Authorizing an 11-Month Closure of a Portion of NE 223rd Avenue for Construction of the 223rd Undercrossing Sandy Blvd. – Bridge St. Project**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date: January 15, 2009 **Amount of Time Needed:** 5 minutes
Department: Community Services **Division:** Land Use & Trans Program
Contact(s): Brian Vincent, P.E., County Engineer
Phone: (503) 988-5050 **Ext.** 29642 **I/O Address:** 425/2nd Floor
Presenter(s): Brian Vincent, P.E., County Engineer

General Information

1. What action are you requesting from the Board?

The Board is requested to Adopt a Resolution Approval of a Temporary Access Closure of NE 223rd Ave., Between Bridge St. and NE Sandy Blvd., as Part of a Road Project Replacing the Union Pacific Railroad Underpass, from January 26, 2009 through December 22, 2009.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

NE 223rd Avenue, a county road located in the City of Fairview, passes under the Union Pacific Railroad alignment located adjacent to I-84. The 20-foot wide structure is too narrow for trucks and lacks sidewalks and bike lanes. This project will replace the structure to allow for two 11-foot travel lanes, a center turn lane, two 6-foot bike lanes, and two 7.5-foot sidewalks. This project is important to the local economy and for the safety of motorists and pedestrians.

The project is jointly funded by Oregon Dept. of Transportation (ODOT) and Multnomah County.

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

The Project is budgeted and programmed in this fiscal year's state and county road fund budgets.

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

This project requires work in the Union Pacific Railroad right-of-way and is governed by the Construction and Maintenance Agreement between the Railroad and Multnomah County.

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

Two public meetings were held during the project design phase, and a pre-road closure public meeting is planned for January 2009.

This is a Federal Aid project administered by ODOT.

Required Signature

**Elected Official
or Department/
Agency Director:**



Date: 01/05/09

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Authorizing an 11-Month Closure of a Portion of NE 223rd Avenue for Construction of the 223rd Undercrossing Sandy Blvd. – Bridge St. Project.

The Multnomah County Board of Commissioners Finds:

- a. The County Engineer has determined the existing Union Pacific Railroad underpass, a road facility spanning NE 223rd Avenue, to be functionally obsolete and an impediment to current and future traffic. The County's Land Use and Transportation Program (LUTP) has obtained sufficient State and County funds to undertake the replacement of this railroad structure.
- b. Replacement of the 223rd Avenue Undercrossing (the Project) will require the widening of the railroad structure and closure of a portion of NE 223rd Avenue, a County road, for approximately 11 months, beginning January 26, 2009, while a new railroad bridge is constructed.
- c. The approximate location of the Project is in the City of Fairview and the impacted roads are as shown on the attached map identified as Exhibit A.
- d. The LUTP has designed and planned the Project to have the least private impact. No vehicle access to any abutting property will be closed. Traffic-control devices are to be installed and maintained by the contractor. Road closure informational signs and detour routes will be posted at least seven (7) days in advance of the construction closure date.
- e. The County Engineer has caused notice of this proposed closure and this meeting of the County Board to be posted and advertised as provided in the Multnomah County Road Rules, Section 13.250; in addition, the LUTP has coordinated with the leaders of the City of Fairview over the last 12 months to help plan for and to reduce impacts to the community.
- f. The Board's policy objectives are to mitigate negative economic impacts, ensure the safety of road users and workers, incorporate sustainability practices, and limit disruptions to traffic and the lifespan of the entire transportation system.
- g. The County's goal is to balance the diverse needs of neighborhoods, the business community and traveling public, the regional economy, and the environment.

The Multnomah County Board of Commissioners Resolves:

1. The Multnomah County Land Use and Transportation Program (LUTP) is authorized to close NE 223rd Avenue, a County road, to all vehicular traffic between Bridge Street and NE Sandy Blvd., as shown on the attached Exhibit A, for the period from January 26, 2009 until December 22, 2009.

ADOPTED this 15th day of January, 2009.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

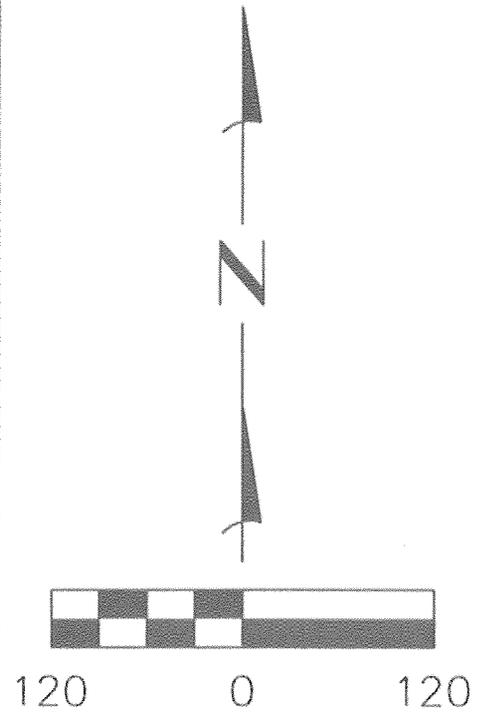
AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By /s/ Matthew O. Ryan
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director
Department of Community Services

EXHIBIT A



BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 09-008

Authorizing an 11-Month Closure of a Portion of NE 223rd Avenue for Construction of the 223rd Undercrossing Sandy Blvd. – Bridge St. Project

The Multnomah County Board of Commissioners Finds:

- a. The County Engineer has determined the existing Union Pacific Railroad underpass, a road facility spanning NE 223rd Avenue, to be functionally obsolete and an impediment to current and future traffic. The County's Land Use and Transportation Program (LUTP) has obtained sufficient State and County funds to undertake the replacement of this railroad structure.
- b. Replacement of the 223rd Avenue Undercrossing (the Project) will require the widening of the railroad structure and closure of a portion of NE 223rd Avenue, a County road, for approximately 11 months, beginning January 26, 2009, while a new railroad bridge is constructed.
- c. The approximate location of the Project is in the City of Fairview and the impacted roads are as shown on the attached map identified as Exhibit A.
- d. The LUTP has designed and planned the Project to have the least private impact. No vehicle access to any abutting property will be closed. Traffic-control devices are to be installed and maintained by the contractor. Road closure informational signs and detour routes will be posted at least seven (7) days in advance of the construction closure date.
- e. The County Engineer has caused notice of this proposed closure and this meeting of the County Board to be posted and advertised as provided in the Multnomah County Road Rules, Section 13.250; in addition, the LUTP has coordinated with the leaders of the City of Fairview over the last 12 months to help plan for and to reduce impacts to the community.
- f. The Board's policy objectives are to mitigate negative economic impacts, ensure the safety of road users and workers, incorporate sustainability practices, and limit disruptions to traffic and the lifespan of the entire transportation system.
- g. The County's goal is to balance the diverse needs of neighborhoods, the business community and traveling public, the regional economy, and the environment.

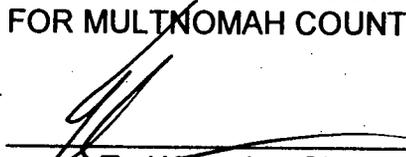
The Multnomah County Board of Commissioners Resolves:

1. The Multnomah County Land Use and Transportation Program (LUTP) is authorized to close NE 223rd Avenue, a County road, to all vehicular traffic between Bridge Street and NE Sandy Blvd., as shown on the attached Exhibit A, for the period from January 26, 2009 until December 22, 2009.

ADOPTED this 15th day of January, 2009.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

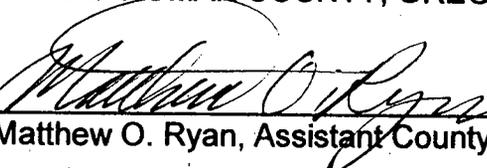




Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

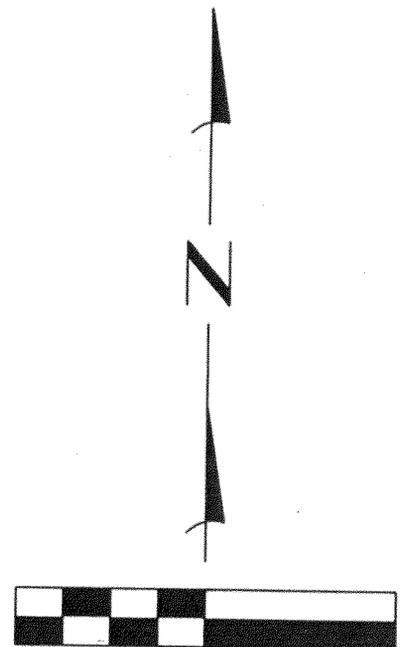
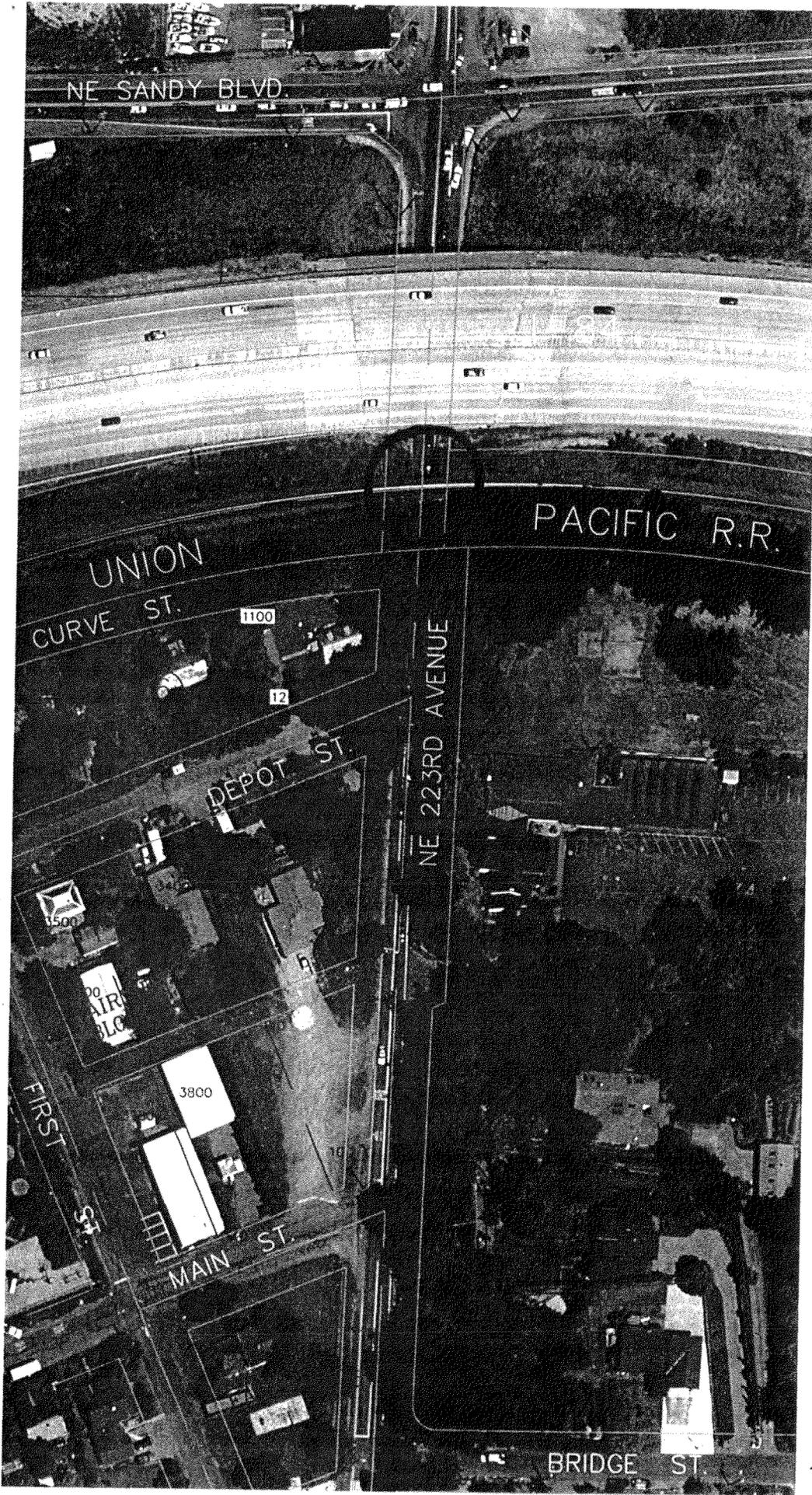
By 

Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director
Department of Community Services

EXHIBIT A



120 0 120



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

Board Clerk Use Only

Meeting Date:	<u>01/15/09</u>
Agenda Item #:	<u>R-7</u>
Est. Start Time:	<u>10:00 AM</u>
Date Submitted:	<u>01/07/09</u>

Agenda Title:	RESOLUTION Celebrating Martin Luther King, Jr., the Inauguration of a New President of the United States, and Affirming Volunteerism and Community Service in Multnomah County
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Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date:	<u>January 15, 2009</u>	Amount of Time Needed:	<u>15 minutes</u>
Department:	<u>Non-Departmental</u>	Division:	<u>Shiprack</u>
Contact(s):	<u>Matthew Lashua</u>		
Phone:	<u>503 988 4105</u>	Ext.	<u>84105</u>
	I/O Address:		<u>503/600</u>
Presenter(s):	<u>Andy Nelson – Hands On Portland; Marc Levy - United Way; Joshua Todd – Multnomah/Portland Youth Commission; Brad McClean – CIC; others</u>		

General Information

1. What action are you requesting from the Board?

Adoption of a resolution celebrating MLK Jr. Day, the inauguration of a new President of the United States and affirming volunteerism and community service in Multnomah County.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

Martin Luther King Jr. was an African American clergyman, activist and prominent leader in the American civil rights movement who devoted himself to public service. In 1994, Congress transformed the Martin Luther King, Jr. holiday into a national day of community service. President-elect Obama and Vice President-elect Biden and their families, joined by Americans in communities all across the country, honor Dr. King's legacy by calling for guests at their Inauguration to perform volunteer services in the Nation's Capitol on January 19, 2009.

Volunteerism and community service are crucial to any thriving community bringing energy, skill and enthusiasm to organizations across the county. Volunteers provide labor and ideas for addressing needs and opportunities that would otherwise be left undone. Within Multnomah County

there are numerous and varied opportunities for residents to devote time to community service.

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

N/A

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

N/A

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

Multnomah County encourages and affirms the importance of community service and will be calling upon employees, community partners and the whole community to actively seek out volunteer opportunities.

Required Signature

**Elected Official or
Department/
Agency Director:**



Date: 01/07/09

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Celebrating Martin Luther King, Jr., the Inauguration of a New President of the United States, and Affirming Volunteerism and Community Service in Multnomah County

The Multnomah County Board of Commissioners Finds:

- a. Martin Luther King Jr. was an African American clergyman, activist and prominent leader in the American civil rights movement who devoted himself to public service. In 1994, Congress transformed the Martin Luther King, Jr. holiday into a national day of community service.
- b. President-elect Obama and Vice President-elect Biden and their families, joined by Americans in communities all across the country, honor Dr. King's legacy by calling for guests at their Inauguration to perform volunteer services in the Nation's Capitol on January 19, 2009.
- d. Volunteerism and community service are crucial to any thriving community bringing energy, skill and enthusiasm to organizations across the county. Volunteers provide labor and ideas for addressing needs and opportunities that would otherwise be left undone.
- e. Within Multnomah County there are numerous and varied opportunities for residents to devote time to community service. We applaud this work.

The Multnomah County Board of Commissioners Resolves:

1. In support of our incoming President's call to service, the Multnomah County Board of Commissioners asks the citizens of Multnomah County to

volunteer in some way that brings positive change to our community on January 19 and throughout 2009.

ADOPTED this 15th day of January, 2009

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, County Chair

Deborah Kafoury,
Commissioner District 1

Jeff Cogen,
Commissioner District 2

Judy Shiprack,
Commissioner District 3

Diane McKeel,
Commissioner District 4

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Jacqueline A. Weber, Assistant County Attorney

SUBMITTED BY:
Judy Shiprack, Commissioner District 3

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 09-009

Celebrating Martin Luther King, Jr., the Inauguration of a New President of the United States, and Affirming Volunteerism and Community Service in Multnomah County

The Multnomah County Board of Commissioners Finds:

- a. Martin Luther King Jr. was an African American clergyman, activist and prominent leader in the American civil rights movement who devoted himself to public service. In 1994, Congress transformed the Martin Luther King, Jr. holiday into a national day of community service.
- b. President-elect Obama and Vice President-elect Biden and their families, joined by Americans in communities all across the country, honor Dr. King's legacy by calling for guests at their Inauguration to perform volunteer services in the Nation's Capitol on January 19, 2009.
- d. Volunteerism and community service are crucial to any thriving community bringing energy, skill and enthusiasm to organizations across the county. Volunteers provide labor and ideas for addressing needs and opportunities that would otherwise be left undone.
- e. Within Multnomah County there are numerous and varied opportunities for residents to devote time to community service. We applaud this work.

The Multnomah County Board of Commissioners Resolves:

1. In support of our incoming President's call to service, the Multnomah County Board of Commissioners asks the citizens of Multnomah County to

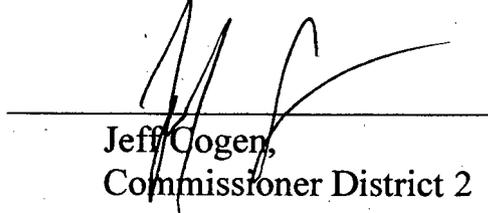
volunteer in some way that brings positive change to our community on January 19 and throughout 2009.

ADOPTED this 15th day of January, 2009

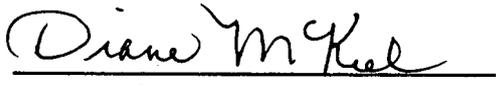
BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Ted Wheeler, County Chair


Deborah Kafoury,
Commissioner District 1


Jeff Cogen,
Commissioner District 2

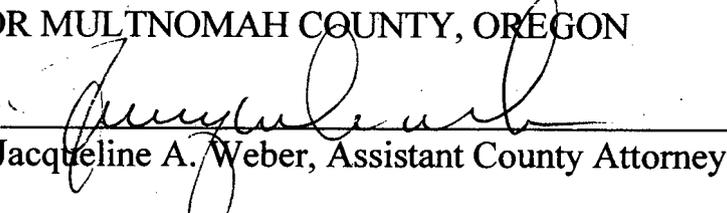

Judy Shiprack,
Commissioner District 3


Diane McKeel,
Commissioner District 4



REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Jacqueline A. Weber, Assistant County Attorney

SUBMITTED BY:

Judy Shiprack, Commissioner District 3



**MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST**

Board Clerk Use Only

Meeting Date: 01/15/09
 Agenda Item #: R-8
 Est. Start Time: 10:15 AM
 Date Submitted: 01/07/09

Agenda Title: Multnomah County's Response to the Winter Storms in Late December 2008

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

Date Requested: January 15, 2009 **Time Requested:** 15 mins
Department: Non-Departmental **Division:** Commissioner District 4
Contact(s): Sam Peterson
Phone: 503-988-5213 **Ext.** 22738 **I/O Address:** 503/600
Presenter(s): Mary Li, Dept of County Human Services Staff

General Information

1. **What action are you requesting from the Board?**
None, informational only.
2. **Please provide sufficient background information for the Board and the public to understand this issue.**
County Staff will present a summary of the efforts made, difficulties faced, costs, successes and lessons learned during the winter storms of December 2008.
3. **Explain the fiscal impact (current year and ongoing).**
none
4. **Explain any legal and/or policy issues involved.**
none
5. **Explain any citizen and/or other government participation that has or will take place.**
none

Required Signature

**Elected Official or
Department Director:**

Diane McKeel

Date: 01/07/09

January 15, 2009

Chair Wheeler, Commissioners:

My name is Gary Marshke. I am a member of the Citizen Involvement Committee here for our chair, Brad McLean, who is out of town this week.

Volunteerism and citizen engagement in County government is especially important in times such as these, and we thank Commissioner Shiprack and the Board for focusing on this today.

The Citizen Involvement Committee (CIC) encourages citizen input in county government, engaging community members through its Citizen Budget Advisory Committee (CBAC) program, forums and other volunteer opportunities.

Members of the CIC provide recommendations to elected officials and departments about how to best utilize citizen advice. CIC focuses on the process used to adopt policies. Each year, the CIC also conducts departmental reviews interviewing key staff and gathering information to determine ways to better involve citizens.

The CIC also created the CBAC program to provide oversight of each department's budget. CBACs review financial statements and programs, speak with staff, and make recommendations to the departments. They then present their reports and recommendations to the Board of County Commissioners. The Central CBAC also conducts an annual Dedicated Fund Review and provides feedback.

Citizens can also volunteer their time by attending community forums designed to help the board identify service priorities for the 2010 budget before it is finalized. The CIC and the Board will co-host three forums this spring, which will be held on February 24th and March 16th at the Multnomah Building and on March 2nd at the Sharon Kelly East Multnomah County Building.

Citizens can volunteer for one of the six neighborhood associations recognized in un-incorporated Multnomah County that have been officially recognized by the CIC.

CIC also hosts diversity outreach trainings, conducted by community based organizations and other entities that provide tools for county employees and citizens to do a better job connecting with diverse populations.

For more information about these or other volunteer opportunities contact our staff at the Office of Citizen Involvement. They are located on the first floor of the building near the entrance.

Thank you for your time today, Commissioners.



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 01/15/09
Agenda Item #: R-9
Est. Start Time: 10:30 AM
Date Submitted: 12/11/08

Agenda Title: **Briefing on Impacts of Governor's 2009-2011 Recommended Budget on Multnomah County**

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

Requested Meeting Date: January 15, 2009 **Amount of Time Needed:** 90 minutes
Department: Non-Departmental **Division:** Chair's Office
Contact(s): Phillip Kennedy-Wong
Phone: (503) 988-5895 **Ext.** 85895 **I/O Address:** 503/6
Presenter(s): Phillip Kennedy-Wong with Multnomah County Department representatives.

General Information

1. What action are you requesting from the Board?

It is requested that the Board receive a briefing from County departments on the impacts of the Governor's Recommended 2009-2011 Budget on Multnomah County.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

The Governor has proposed a 2-year budget for state agencies with implications on the services that Multnomah County provides. The Board of County Commissioners needs to understand these implications in order to request specific changes from the Governor and Oregon Legislature in the state's 2009-2011 budget and to allocate County resources accordingly. Each County department will present an assessment of the impacts to their operations, services, and finances that would result if the Oregon Legislature adopts the Governor's Recommended 2009-2011 Budget.

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

None

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

None.

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

Required Signature

Elected Official or
Department/
Agency Director:

TED WHEELER

Date: 12/11/08

KARNES Ana

From: KENNEDY-WONG Phillip
Sent: Wednesday, December 17, 2008 11:26 AM
To: LEE Beckie; WIREN Corie; KAFOURY Deborah; MCKEEL Diane; SHIPRACK Judith C; #ALL CHAIR'S OFFICE; #ALL DISTRICT 1; #ALL DISTRICT 2; #ALL DISTRICT 3; #ALL DISTRICT 4; #DRM
Cc: NEBURKA Julie Z; BOGSTAD Deborah L; KARNES Ana; #DCHS LEGISLATIVE COMMITTEE; ZIEDENBERG Jason H; ABDELLATIF Vanetta M; JOHNSON KaRin R; KIRK Christine A; MARCY Scott; SCHILLING Karen C; SULLIVAN Theresa A; WALRUFF Randy P; WEST Kathleen S
Subject: UPDATE: Multco State & Fed Leg Agnda Adoption Schedule
Importance: High

Greetings all,

Just wanted to give everyone a quick update on the adoption schedule for the County's state and federal legislative agenda as well as other announcements. Included are important dates to note.

January 15 - Board Briefing: Department presentations on impacts of Governor's Recommended 2009-2011 Budget if adopted. During the December 9 Board Work Session, Commissioners requested more information on how the Governor's Recommended 2009-2011 Budget affects each County department. County departments should be prepared to present their internal assessment. Roughly 10 minutes allotted for each department. Please contact me to let me know if your department will be presenting and how much time your department needs. *Karyne Kieta and Julie Neburka: do you want to provide an overview?*

January 22 - Board Adoption of State and Federal Legislative Agenda. Any changes or corrections requested by Commissioners or County Departments to the agenda need to be made by January 16th. Your cooperation is appreciated.

County response to Federal Economic Stimulus Package: The Chair's Office is drafting a letter and a list of county projects that could be eligible for federal economic stimulus dollars. A draft will be circulated among commissioners and commissioners-elect for their signature once completed. The project list is based on 1) how quick the project can be implemented; 2) how many jobs could be created; and 3) how well they match w/ the announced presidential and congressional priorities. The bulk of the list is backlogged maintenance. Facilities Management, Community Services, and Kat West helped with the list. In addition to projects, the letter will include LIHEAP, Byrne Grant requests, and FMAP.

Salem and Washington, DC Travel: If you plan on traveling to Salem or Washington, DC on County business any time next year, please let me know. There may be an opportunity for you to lobby on the County's legislative agenda. I will be working with the Commissioners to schedule their travel to Salem and Washington, DC. I'll try to send out their schedule once it's known. If you are interested in pairing your travel with any Commissioners, please let me know. If you would like to time your travel to coincide with key legislative milestones, please let me know as well.

Department Coordination on County's Federal Agenda: I will be working with Jana McClellan to schedule monthly conference calls for each Department with the County's federal lobbying firm. The purpose of the calls will be several fold: reporting on the progress of the county's federal agenda, strategizing and coordinating activities, and briefing the lobbying firm on county developments.

Bill Tracking Training: Tomorrow's and Friday's training are still scheduled unless otherwise notified. They are in the Multnomah Building's basement computer training room.

State Budgeting Training: I am working to reschedule the training on the state budgeting process for early January. I'll keep you posted when it's scheduled.

Salem Orientation for Commissioner and Department Staff: If you plan on being in Salem a lot this session and would like an orientation to the Legislature, I am more than happy to give a personal or group orientations.

There will be more announcements to come thanks. Don't hesitate to call me with any questions or requests for assistance.

-Phill
(503) 830-4746, cell



Impacts to Multnomah County: Adult Residential Alcohol and Drug Treatment

Governor's Recommended 2009-2011 Budget



Reduce by 100% Adult Alcohol and Drug Residential Services

Adult Residential Alcohol and Drug Treatment

2007-2009 biennium funding level: \$4,405,054 annually

2009-2011 recommended biennium funding level: \$0

Program description: Residential programs provide intensive treatment in a 24-hour setting. Individuals live in residential facilities during the course of their treatment. Two of the residential programs specialize in women who are pregnant or have small children.

Number served: Nearly 500 adults are served annually in residential treatment programs. Of those, 165 are women who are accompanied by their children under the age of 5 due to lack of childcare.

Impact of cut: Oregon currently ranks 45th in the U.S for funded treatment access per capita. Adult residential treatment is funded almost entirely with State general funds. The governor's recommended cut eliminates this level of care, for which there is already a lengthy waitlist. Programs for women that are matched with children's beds would also be eliminated as a result of this cut. This cut will cause a cost shift to the State of Oregon Department of Human Services Child Welfare as they will need to find foster homes for these children. Other costs in the form of unemployment, incarceration, hospitalization, and health disorders will result as individuals are unable to access the treatment that prevents them from relapse.

Legislative response requested: Restore funding for adult residential alcohol and drug treatment.

Contingency plan: Maintain the 15 general adult beds paid for by the county.



Impacts to Multnomah County: Alcohol and Drug Continuum of Care

Governor's Recommended 2009-2011 Budget



Reduce by 50% the Alcohol and Drug Continuum of Care

Alcohol and Drug Continuum of Care

2007-2009 biennium funding level: \$5,084,740 annually

2009-2011 recommended biennium funding level: \$2,542,370 annually

Program description: The funding in this continuum of care pays for a variety of addiction treatment services, including adult outpatient treatment, treatment for women with small children who need to remain with them while in care, detoxification, and culturally specific treatment for African-American youth.

Number served: This addiction treatment continuum serves more than 4,500 clients a year.

Impact of cut: If this budget cut occurs, roughly 1,800 fewer individuals will get the treatment they need for their alcohol or drug problems. There will be more people on waitlists to access the limited treatment available, thus increasing the likelihood of relapse. These people will be at greater risk of incarceration, having children lost to foster care, becoming unemployed, developing health disorders, having auto accidents and other issues. All of these come at a great cost to the community. In Oregon, research shows that for every \$1 invested in treatment there is a cost savings of \$5.60. Oregon now ranks 45th in the U.S for funded treatment access per capita.

Legislative response requested: Restore full funding for the alcohol and drug continuum of care.

Contingency plan: None available.



Impacts to Multnomah County: Long Term Care In-Home Services

Governor's Recommended 2009-2011 Budget



Eliminate Funding for 600 Seniors and People with Disabilities who require fewer than 20 hours per week of In-Home Care Services

In-Home Care Services and Supports

2007-2009 biennium funding level: \$43,651,983 (Entire Medicaid program)

2009-2011 recommended biennium funding level: \$46,031,022*

Program Description: In-home care services are the most cost effective way to keep seniors and people with disabilities who need substantial care assistance in their own homes. Services such as personal care, meal preparation, laundry and essential housekeeping support independence, helping people remain in their own homes as long as possible. Case managers authorize and arrange for in-home care services and work closely with home care workers and nurses to ensure needs are being met. In addition to providing direct service, home care workers are a critical link to case managers in monitoring changing care needs.

Number Served: Last year this program served 5,698 seniors and people with disabilities.

Impact of cut: In-home care services are necessary resources to providing seniors and people with disabilities with the ability to remain independent in their own homes. Budget cuts will eliminate more than 10% or about 600 clients from caseloads. Associated Medicaid funding reductions of \$417,680 will result in reduced staffing. Elimination of services for clients requiring fewer than 20 hours a week means that clients will be called upon to accomplish tasks they otherwise find difficult or impossible to perform. This will put them at risk and jeopardize their safety and welfare. Without these services, clients will experience deterioration of physical, medical or psycho-social well-being, eventually requiring them to receive a higher and more costly level of care. Economists estimate the economic impact of the combined reduction to the Long Term Care program will lead to a statewide loss of 11,000 jobs and \$338 million in federal matching funds; this translates into \$587 million in lost economic activity for Oregon.

Legislative response requested: Restore the cuts in State General Fund that support this program. Advocate for general fund matching Medicaid to remain in Department of Human Services, Seniors and Persons with Disabilities Services (DHS-SPD) after the federal stimulus bill is passed providing increased federal funds.

Contingency plan: Long-term care case managers will direct clients who no longer qualify for services to community resources, advising them to reapply for services when their conditions decline and need for service increases. Ineligible clients dependent upon long-term care support will be advised to find other arrangements, perform needed functions themselves or abandon their present residence. They will need to seek entry to

*Although overall Medicaid funds increase for the biennium, in-home service cuts will reduce Medicaid by \$417,680; this will result in staffing reductions for ADS.

a residential facility that provides needed supports. New clients will be denied access to services in an environment where community resources are becoming increasingly limited.

*Although overall Medicaid funds increase for the biennium, in-home service cuts will reduce Medicaid by \$417,680; this will result in staffing reductions for ADS.

For questions or more information, please contact Phillip Kennedy-Wong at (503) 830-4746.



Impacts to Multnomah County: Long Term Care for Seniors and People with Disabilities

Governor's Recommended 2009-2011 Budget



Reduced Income Standards for Long Term Care Services Eligibility

Financial Eligibility for Long Term Care

2007-2009 biennium funding level: \$43,651,983 (Entire Medicaid program)

2009-2011 recommended biennium funding level: \$46,031,022*

Program Description: Aging and Disability Services (ADS) provides a continuum of care options for low-income and vulnerable seniors and people with disabilities. Case managers determine eligibility and enroll low-income seniors and people with disabilities in programs such as the Oregon Health Plan, Food Stamps and long-term care services to meet their basic health, financial, nutrition and personal care needs. Long-term care case management services are provided to seniors and people with disabilities who meet state criteria for nursing home care because they need help with daily self-care tasks for such things as mobility, eating and toileting. Case managers perform comprehensive assessments and work with clients to arrange for and coordinate services according to individual medical and care needs.

Number Served: Last year this program served about 5,698 seniors and people with disabilities each month.

Impact of cut: The Medicaid State Plan will be changed to lower the income standard for Medicaid service eligibility from \$1,900 a month per person to \$1,300 a month. This will eliminate 18% of clients or 1,020 people now receiving long-term care services. People who have disabilities and chronic conditions that substantially limit their ability to function independently will no longer be eligible for Oregon Health Plan or long-term care services or supports. This will impact clients across the continuum of care including those residing in residential care, assisted living and nursing facilities. Economists estimate the economic impact of the combined reduction to the Long Term Care program will lead to a statewide loss of 11,000 jobs and \$338 million in federal matching funds; this translates into \$587 million in lost economic activity for Oregon.

Legislative response requested: Restore the cuts in State General Fund, which support this program. Advocate for general fund matching Medicaid to remain in Department of Human Services, Seniors and Persons with Disabilities Services (DHS-SPD) after the federal stimulus bill is passed providing increased federal funds.

Contingency plan: ADS will work with DHS-SPD to begin planning with clients who no longer qualify for services, directing them to community resources. To the extent possible, case managers will assist clients living in facilities to find other living arrangements. New applicants will be turned away from services unless they meet the new income guidelines.

*Medicaid fund reduction associated with program eligibility changes unknown at this time.

For questions or more information, please contact Phillip Kennedy-Wong at (503) 830-4746.



Impacts to Multnomah County: Oregon Project Independence

Governor's Recommended 2009-2011 Budget



41% Funding Cut to Oregon Project Independence

Oregon Project Independence

2007-2009 biennium funding level: \$2,045,039

2009-2011 recommended biennium funding level: \$1,232,019

Program Description: Oregon Project Independence (OPI) keeps low income seniors at risk for nursing facility placement independent and in their homes. Services involve supports that help maintain independence, such as case management, personal care, home care, shopping, and adult day care. OPI is a safety net program, shielding vulnerable near-poor individuals from premature institutionalization and Medicaid dependence.

Number Served: OPI served 1,196 clients last year.

Impact of cut: This cut will eliminate case management and in-home services for 500 people currently being served and eliminate case management for individuals on a waiting list for services. It will eliminate or reduce services for the near-poor, services that cost-effectively maintain this population in their homes and community. Without these supports, individuals will deplete finances and compromise health and well-being, increasing dependency on more expensive programs such as Medicaid. These cuts are happening simultaneously with cuts to the Long Term Care program which will increase demand for OPI services at a time when resources will be limited.

Legislative response requested: Provide State General Fund (SGF) or alternative revenue source to fund the program. OPI does not appear as a cut in the Governor's Revised Budget because it is funded from the Senior and Disability Property Tax Deferral program; as of the last legislative session it no longer is funded with SGF. At its best the funding source has been inadequate to cover all individuals named in its mandate. For example, it has never covered the younger disabled population and most of the state has waiting lists for services including Multnomah County.

Contingency plan: District Center case managers will transition clients off services and direct individuals to other community resources. Elders and people with disabilities will become more dependent upon other community resources such as volunteers. Because these resources are stretched, health, finances and well-being will be compromised until the individual becomes eligible for more expensive interventions.



Impacts to Multnomah County: Medicaid Case Management and Staffing

Governor's Recommended 2009-2011 Budget



Reduction in Personnel Expense Reimbursement (Elimination of Cost of Living Adjustment (COLA) on Personnel and Mandatory Hiring Freeze for Medicaid)

Personnel Expense Reimbursement for Medicaid Administration

2007-2009 biennium funding level: \$43,651,983 (Entire Medicaid program)
2009-2011 recommended biennium funding level: \$46,031,022*

Description: Aging and Disability Services (ADS) receives Medicaid funding from the state to administer the Medicaid program for seniors and people with disabilities. A majority of this funding goes to pay for program staff that determine eligibility, develop a plan of care and provide on-going case management. The state uses caseload projections to determine needed staff and allocates dollars to contractors based on these projections. Currently, Transfer Area Agencies on Aging (AAA) are funded at 90% of what the state pays itself based on actual personnel and related costs to deliver the services in the state offices. Transfer AAAs expected that the budget would deliver a 5% increase on these costs as was promised by the Co-Chairs in the last Biennial budget as the last of the so called equity payments.

Impact of cut: The Governor's Recommended Budget (GRB) will not pay COLA on employee salaries and will eliminate funding for salary-related COLA expenses for contractors as well. However, ADS must pay COLAs on personnel. This will result in a shortfall of approximately \$600,000. In addition, the State is requiring Transfer AAAs to participate in a statewide hiring freeze to generate a 3% salary savings, which will reduce ADS's Medicaid revenue by another \$247,125. The overall reduction of approximately \$850,000 translates into the elimination of 5 FTE over two years for ADS. (Note: Despite reductions in GRB, ADS anticipates a small increase in Medicaid funding for the 2009-2011 biennium).

Legislative response requested: Restore the cuts in State General Fund that support this program; advocate for an additional general fund amount of \$3.75 million to match Medicaid and provide equity funding for Transfer AAAs.

Contingency plan: Aging and Disability Services will reduce its workforce by 5 FTE so it can honor COLAs for staff in its budget.

*Although overall Medicaid funds increase for the biennium, the funds are not sufficient to cover increasing costs; this will lead to reductions in staffing who will need to serve the same or more clients.



Impacts to Multnomah County: Department of Community Justice Governor's Recommended 2009-2011 Budget



What did the Governor's budget do to community corrections?

Overall Funding: The proposed budget cuts community corrections funding from the legislatively approved funding model by 7%.

Treatment Funding: The proposed budget cuts Measure 57 Treatment and programs over 60% from their legislatively approved funding model. (Measure 57, designed by legislature was designed to include \$40 million, and the budget only includes \$15 million). This does not include cuts to other Departments or systems which DCJ uses (Department of Human Services).¹

What did the Governor's budget do to juvenile justice services?

Overall Funding: The proposed budget marginally reduces the Juvenile Crime Prevention funds; Oregon Youth Authority Diversion funds, Youth Gang Intervention funds and JCP Basic Grants were held harmless.

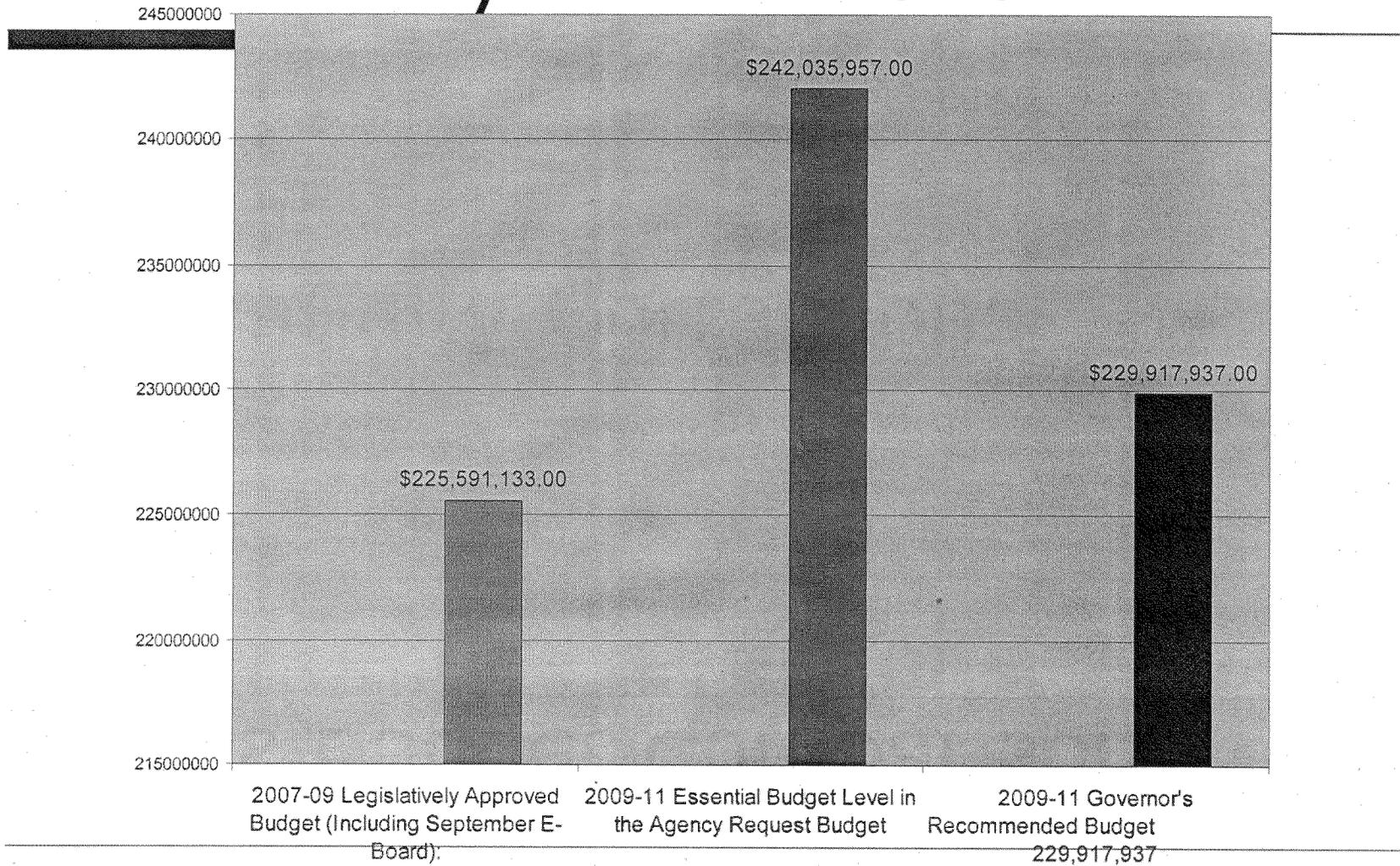
Funding of Close Custody Beds: 45 close custody and 58 community placement beds, due to be brought on-line in the 2007-09 biennium, are not funded. As well, over 200 new close custody beds and 20+ community placement beds projected for 2009-2011 will not be funded.

Implications of the Governors Budget on the Department of Community Justice

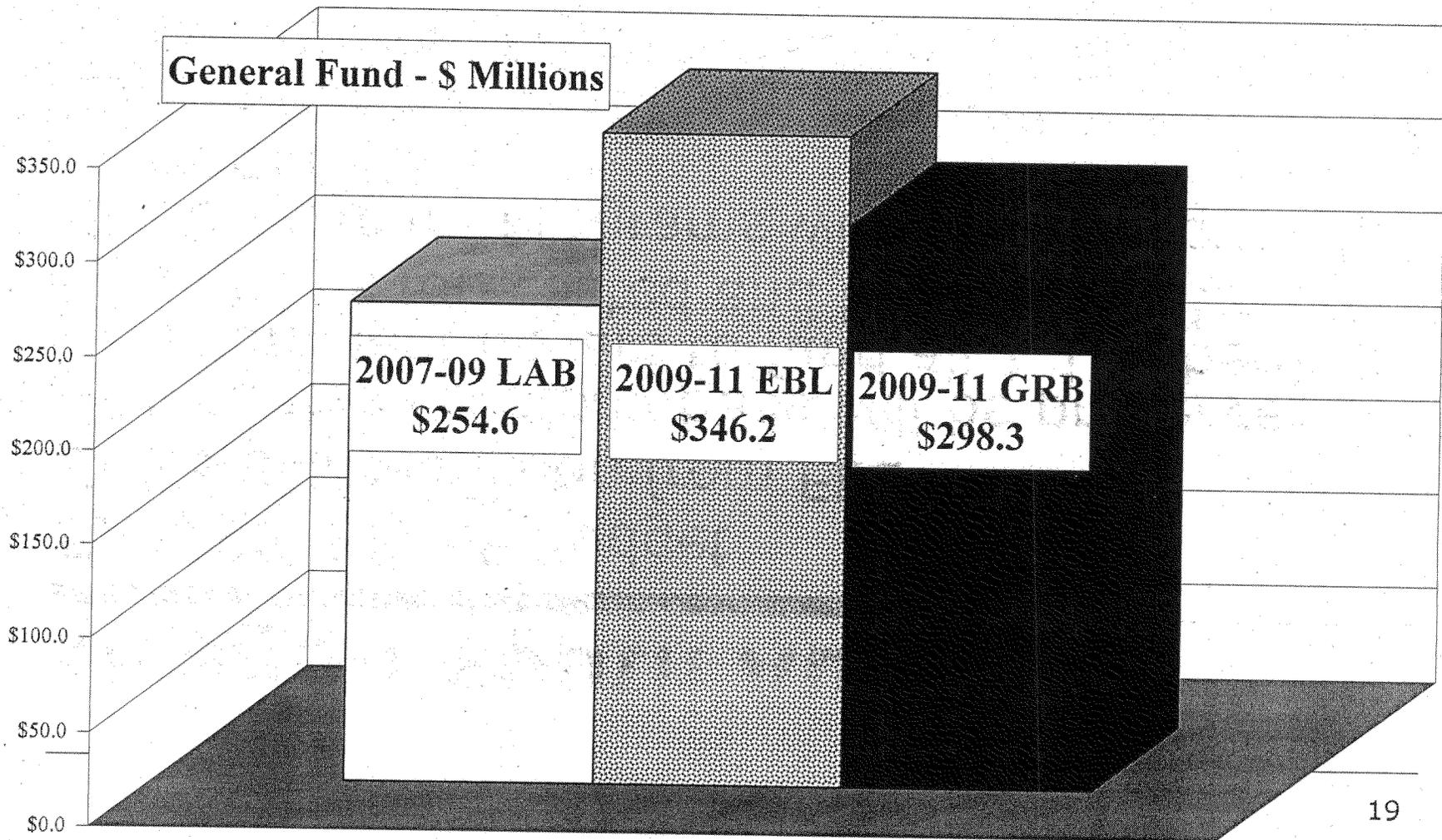
- Counties may stop supervising certain categories of offenders.
- Counties may "Opt-Out" of their partnership with the state.
- DCJ is examining the cost of OYA parole services for Multnomah County youth. We may be able to reduce duplication.
- The reduction to human services and the loss of funds for treatment services in other departments affects our clients.

¹DCJ is also losing \$217,000 in Mental Health Treatment funding from the Department of Children and Family Services, and \$112,000 in one-time funding for DepoPreva from the Department of Corrections.

Community Corrections



Oregon Youth Authority





Impacts to Multnomah County: Emergency Holds Governor's Recommended 2009-2011 Budget



Reduce by 50% Acute Psychiatric Inpatient Services (Service Element 24)

Emergency holds

2007-2009 biennium funding level: \$1,500,000 annually

2009-2011 recommended biennium funding level: \$750,000 annually

Program description: Emergency holds are involuntary inpatient hospitalizations of uninsured, indigent individuals who are a danger to themselves or others. The county is the payor of last resort and financially responsible for payment under Oregon Revised Statute 426.

Number served: In fiscal year 2007, there were 1,045 emergency holds of indigent individuals in Multnomah County.

Impact of cut: Multnomah County would be forced to cover these costs with general fund dollars. The county has a general fund deficit and cannot afford to make up the difference if funding for emergency hold payment is cut by the state. Cost shifting to hospitals is an anticipated result as they will have to provide unreimbursed care.

Legislative response requested: Restore the cut in State General Fund 24, which supports this program.

Contingency plan: Cut other programs in order to pay for emergency holds as required by the State ORS.



Impacts to Multnomah County: Urgent Walk-in Clinic and Mobile Crisis Outreach Team

Governor's Recommended 2009-2011 Budget



Reduce by 90% Adult Outpatient Mental Health Services for non-Medicaid clients (Service Element 20)

Urgent Walk-in Clinic and Mobile Crisis Outreach Team

2007-2009 biennium funding level: \$1,456,171 annually

2009-2011 recommended biennium funding level: \$145,617 annually

Program description: The Urgent Walk-in Clinic is open seven days a week, serving individuals and families in crisis. In addition to mental health clinicians, medical professionals are available to see those who require psychiatric medication on a crisis basis. The clinic's team also assists individuals with access to ongoing services so they can maintain stability in their lives.

Mobile Crisis Outreach provides on-site crisis intervention services 24 hours a day, seven days a week. The team is dispatched by the Mental Health Call Center when someone needs crisis intervention or an assessment of their safety but is unable or unwilling to come to the walk-in clinic. The Portland Police Bureau and Department of Community Justice also utilize the services of mobile outreach in an effort to divert mentally ill individuals in crisis away from jail.

Number served: More than 5,000 individuals are seen annually at the walk-in clinic; the mobile crisis outreach team provides outreach more than 11,500 times a year.

Impact of cut: A budget cut will drastically reduce the availability of mental health safety net crisis services that prevent the need for higher cost treatment such as psychiatric hospitalization. Cost shifting will occur as people go to the emergency rooms or call the police for mental health crises. When people who are uninsured and indigent are involuntarily committed, the county is responsible for picking up the tab.

Legislative response requested: Restore the cut in State General Fund 20, which supports this program.

Contingency plan: Close the urgent walk-in clinic and use mobile crisis outreach as much as possible to fill the gap in the crisis services continuum.



Impacts to Multnomah County: Involuntary Commitment Investigators

Governor's Recommended 2009-2011 Budget



Reduce by 50% Acute Psychiatric Inpatient Services (Service Element 24)

Involuntary Commitment Investigators

2007-2009 biennium funding level: \$1,077,400 annually

2009-2011 recommended biennium funding level: \$538,700 annually

Program description: Involuntary Commitment staff investigate the mental health status of individuals who are being hospitalized against their will to determine whether to recommend civil commitment because the individual is a danger to him/herself or others.

Number served: More than 4,100 commitments are investigated annually by county staff.

Impact of cut: Involuntary Commitment Investigators are mandated by Oregon statute. If funding is cut, the number of investigators will be reduced from 24 to 12 and the mandate to investigate all the involuntary holds in Multnomah County within 72 hours will not be met.

Legislative response requested: Restore the cut in State General Fund 24, which supports this program.

Contingency plan: Cut other programs in order to fund adequate staff to perform this state-mandated function.



Impacts to Multnomah County: Coordinated Diversion for Persons with Mental Illness

Governor's Recommended 2009-2011 Budget



Reduce by 90% Adult Outpatient Mental Health Services for non-Medicaid clients (Service Element 20)

Coordinated Diversion for Persons with Mental Illness

2007-2009 biennium funding level: \$982,932 annually

2009-2011 recommended biennium funding level: \$98,293 annually

Program description: The Mental Health and Addiction Services Division (MHASD) collaborates with the judicial and criminal justice systems on a Community Court Project. The goal of the program is successfully diverting mental health consumers from the criminal justice system and into mental health services. MHASD hired three qualified mental health staff to work primarily in the field, assisting individuals diverted from jail and reporting to the court on their status. Staff link individuals to benefits, housing, medical and social services, and outpatient mental health services. Maintaining contact for up to 45 days allows time to assess consumer level of engagement with community providers.

Coordinated Diversion also includes a program focusing on individuals who are habitual users of high intensity, high cost services, including State hospitals, local hospitals and the jail. The diversion staff of two mental health professionals maintain or connect a person with housing, Medicaid eligibility and services.

Another Diversion program - Intensive Transition Program (ITP) - serves indigent transition-age youth and adults who are being discharged from institutional care (psychiatric hospitals or hospital emergency departments). This population needs assertive, short-term intervention to reduce risk of readmission. ITP strengthens the consumer's long term connection to treatment services, family and friends, and provides emotional and practical support during a critical transition period.

Number served: The Intensive Transition Program can maintain a caseload of 80 individuals. The expansion of community court serves 50 individuals annually.

Impact of cut: Funding cuts will result in the elimination of the coordinated diversion programs. There will be cost shifting to the justice system, state hospital, hospital emergency departments and the number of emergency holds of unfunded, uninsured individuals likely will rise. The county is responsible for payment of emergency holds.

Legislative response requested: Restore the cut in State General Fund 20, which supports this program.

Contingency plan: None. Programs will be eliminated.



Impacts to Multnomah County: Early Assessment and Support Alliance

Governor's Recommended 2009-2011 Budget



Reduce by 90% Adult Outpatient Mental Health Services for non-Medicaid clients (Service Element 20)

Early Assessment and Support Alliance

2007-2009 biennium funding level: \$774,071 annually

2009-2011 recommended biennium funding level: \$77,407 annually

Program description: The Early Assessment and Support Alliance program provides early intervention to youth experiencing the first symptoms of psychosis. Early intervention and treatment has been shown to decrease future psychotic episodes and leads to a more independent, full life.

Number served: The multidisciplinary team currently has 30 clients with an anticipated caseload capacity of 90 to be reached by June 2009.

Impact of cut: A cut to this new program will close it entirely as it has not been functioning long enough to be able to sustain itself with its Oregon Health Plan and private insurance clients. Any potential cost savings to the community by helping prevent mental illness will remain unrealized.

Legislative response requested: Restore the cut in State General Fund 20, which supports this program.

Contingency plan: Reduce program entirely due to insufficient funding. No backfill is available from other funding sources.



Impacts to Multnomah County: State Hospital Waitlist Reduction Program

Governor's Recommended 2009-2011 Budget



Reduce by 90% Adult Outpatient Mental Health Services for non-Medicaid clients (Service Element 20)

State Hospital Wait List Reduction Program

2007-2009 biennium funding level: \$523,029 annually

2009-2011 recommended biennium funding level: \$52,302 annually

Program description: This program was designed specifically to assist with reducing the waitlist for the Oregon State Hospital. Four staff intensively case-manage patients discharging from the state hospital and acute care hospitals to ensure that they do not relapse and return to the hospital setting.

Number served: An average of 150 clients served annually.

Impact of cut: A budget cut will eliminate discharge planning staff that enables clients to leave the state hospital for community based treatment. This will impact the full continuum of care, decreasing state hospital discharges, increasing acute care psychiatric admissions and the number of patients awaiting state hospital placement, and increasing patients in emergency rooms waiting for a bed. In 2006, the total number of referrals from acute care hospitals to the waitlist programs across the state was 509.

Legislative response requested: Restore the cut in State General Fund 20, which supports this program.

Contingency plan: Cut other mental health programs that are also funded with State General Fund 20 in order to backfill this program.



Impacts to Multnomah County: 370 Program



Governor's Recommended 2009-2011 Budget

Reduce by 90% Adult Outpatient Mental Health Services for non-Medicaid clients (Service Element 20)

370 Program

2007-2009 biennium funding level: \$284,040 annually

2009-2011 recommended biennium funding level: \$28,404 annually

Program description: MHASD is participating in a three county pilot project for consumers charged with misdemeanor crimes and ordered to undergo an "Aid and Assist/Treat Until Fit" evaluation, with the intent of diverting them from the criminal justice system to the mental health system.

Number served: There are 51 consumers who have been served as of January 2008.

Impact of cut: A budget cut will eliminate sufficient funding to maintain the staff who coordinate with the criminal justice system. There will be cost shifting to the justice system as more mentally ill individuals will end up there rather than in the mental health system receiving treatment for their illnesses.

Legislative response requested: Restore the cut in State General Fund 20, which supports this program.

Contingency plan: None. Program will be eliminated.



Impacts to Multnomah County: Bridgeview Transitional Housing

Governor's Recommended 2009-2011 Budget



Reduce by 90% Adult Outpatient Mental Health Services for non-Medicaid clients (Service Element 20)

Bridgeview Transitional Housing

2007-2009 biennium funding level: \$278,160 annually

2009-2011 recommended biennium funding level: \$27,816 annually

Program description: Bridgeview is a transitional housing program for mentally ill adults who are homeless or are at risk of being homeless. These individuals, who receive mental health treatment, dual diagnosis treatment, and other case management services, are difficult to house and require transitional housing before they are able to move into permanent housing.

Number served: Sixty-three mentally ill adults are served annually through this housing program.

Impact of cut: This cuts one-quarter of the annual funding away from **the only transitional housing program** under contract with Multnomah County. City and federal funding for the program is at risk if the county cannot maintain its own effort. Already identified as a key gap in the system, there is a desperate need for transitional housing for individuals whose mental illness needs to be stabilized before they can move to supported or some other type of housing. An increase in the number of mentally ill homeless is anticipated without this option for placement.

Legislative response requested: Restore the cut in State General Fund 20, which supports this program.

Contingency plan: Cut other mental health programs that are also funded with SGF 20 in order to backfill this program.



Impacts to Multnomah County: Adult Protective Services

Governor's Recommended 2009-2011 Budget



Reduce by 90% Adult Outpatient Mental Health Services for non-Medicaid clients (Service Element 20)

Adult Protective Services

2007-2009 biennium funding level: \$206,599 annually

2009-2011 recommended biennium funding level: \$20,659 annually

Program description: If abuse of a mentally ill adult is reported, protective services staff conduct an investigation to confirm the abuse and resolve the case. Protective services report all cases to the State Office of Investigations.

Number served: Services provided to an estimated 200 adults annually.

Impact of cut: A budget cut will eliminate the funding for the staff dedicated to provide protective services. Other staff will add this function to current duties, resulting in a greatly increased turnaround time for the investigation and resolution of cases.

Legislative response requested: Restore the cut in State General Fund 20, which supports this program.

Contingency plan: Cut funding to other programs in order to backfill this program.



Impacts to Multnomah County:

Taft Hotel

Governor's Recommended 2009-2011 Budget



Reduce by 90% Adult Outpatient Mental Health Services for non-Medicaid clients (Service Element 20)

Taft Hotel

2007-2009 biennium funding level: \$160,008 annually

2009-2011 recommended biennium funding level: \$16,000 annually

Program description: The Taft Hotel is a 24-hour structured care facility for older and disabled adults. The Mental Health and Addiction Services Division (MHASD) utilizes this facility for mentally ill adults who, because they are also experiencing complex medical issues, require this type of monitored housing.

Number served: MHASD purchases 15 beds to serve older and disabled mentally ill adults.

Impact of cut: If cuts are made to State General Fund 20, MHASD can purchase only six beds rather than 15 to house severely mentally ill clients in this structured 24/7 care facility for older and disabled adults.

Legislative response requested: Restore the cut in State General Fund 20, which supports this program.

Contingency plan: Purchase beds on an as-needed basis.

**Multnomah County Estimated FY2010 Impact
Governor's Recommended Budget FY 2009-2011**

Countywide Summary

	FY 2010 Estimated Add/Loss	FY 2010 County Contract Add/Loss	FY 2010 Total Change	FY 2010 County FTE Add/Loss	Notes on additional Impacts
Department of County Human Services	(\$3,811,828)	(\$10,630,208)	(\$14,442,036)	(42.56)	
Department of Community Justice	\$52,892	(\$329,469)	(\$276,577)	(0.05)	
Health Department	(\$4,350,000)	\$0	(\$4,350,000)	(23.00)	Additional Impacts to STD/HIV/HepC are expected but have not yet determined actual amount
Sheriff's Office	(\$577,917)	\$0	(\$577,917)	0.00	
Library	\$0	\$0	\$0	0.00	No significant impacts at this time
Department of Community Services	\$52,892	\$0	\$0	0.00	Total impact to specific program is unknown at the time. Discussions are currently taking place with Portland & Gresham
District Attorney's Office	\$0	\$0	\$0	0.00	No significant impacts at this time
	(\$8,633,960)	(\$10,959,677)	(\$19,646,529)	(65.61)	

Department Programs Impacted

Dept County Human Services

	Approx Amt
DD Administration and Support	\$1,400,000
DD Services for Children	(\$200,000)
ADS Access & Early Intervention Services	(\$400,000)
ADS Adult Care Home Program	(\$10,500)
ADS Long Term Care	(\$2,500,000)
ADS Adult Protective Services	(\$56,000)
ADS Administration	(\$15,000)
MH Quality Mgmt and Protective Services	(\$186,000)
Mental Health Crisis Services	(\$1,300,000)
MH Commitment Services	(\$1,800,000)
MH Diversion for Mental Illness	(\$1,300,000)
MH Residential Services	(\$395,000)
Early Psychosis Intervention Services	(\$700,000)
Adult Addictions Treatment Continuum	(\$7,000,000)
Youth Gang Prevention	(\$4,500)
Social & Support Svcs for Educ Success	(\$25,000)
Child Development Services	(\$12,426)

Department of Community Justice

OCCF JCP Prevention	(\$45,000)
Juvenile Crime Prevention - Basic	\$26,400
OYA JCP Diversion	\$22,400
State Mental Health	(\$217,000)
DOC 1145	(\$1,100,000)
DOC Measure 57 (new)	\$1,100,000
DOC Sex Offender Depo-Provera	(\$112,500)

Health Department

STD/HIV/Hep C Community Prevention Program	Unknown at this time
Early Childhood Svcs	(\$150,000)
Dental Services	(\$4,200,000)

Sheriff's Office

Dept of Corrections (SB 1145 & Measure 57)	(\$450,000)
River Patrol	(\$100,000)
Fac. Security Unit	(\$36,000)

Department of Community Services

Transportation - Road & Bridge Services and Capital	Unknown at this time
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Multnomah County Service Estimated Impact (Governor's Proposed Budget FY 2009-2011)

Department	Program Offer Number	Program Name	FY 2009 Adopted Budget	FY 2009 Revised Budget	FY 2010 Estimated Add/Loss	FY 2010 County Contract Add/Loss	FY 2010 Total Change	FY 2010 County FTE Add/Loss	Service Impact Estimations/ Notes
DCHS	25010	DD Administration and Support(Case Workers)	3,431,097	3,376,364	1,367,707	0	1,367,707	17.00	Additional State MH Grant Local Admin funds will increase capacity for case management to meet state requirements of 1:45 caseload size. Enable us to provide eligibility services in Spanish. Meet new contractual requirements for quality assurance. Funds will be allocated in new contract as separate service elements for FY10 budget year.
DCHS	25013	DD Services for Children	3,747,586	3,747,586	0	(193,687)	(193,687)	0.00	Impact: Reduction in available support services to approx. 200 families, no impact to staffing.
DCHS	25020	ADS Access & Early Intervention Services	7,130,187	7,334,446	(25,527)	(380,584)	(406,111)	(0.28)	A 41% reduction in available funding for Oregon Project Independence (OPI) Program Statewide will reduce funding to Multnomah County by \$392,040 in OPI funds for FY10. Impact: loss of case management, in-home and other services for almost 500 clients. The State is passing on a hiring freeze and will not pay COLA for Medicaid positions which will lead to corresponding expense reductions of approximately \$14,071 for this program in FY10. *Governor's Revised Budget does not include anticipated 5% Equity adjustment which would have increased Medicaid funding for Multnomah County Aging and Disability Services Division by \$1,462,500 for FY10.
DCHS	25022A	ADS Adult Care Home Program	1,652,449	1,652,449	(10,346)	0	(10,346)	(0.11)	The State is passing on a hiring freeze and will not pay COLA for Medicaid positions which will lead to corresponding expense reductions of approximately \$10,346 for this program in FY10.
DCHS	25023	ADS Long Term Care	22,536,550	22,536,550	(2,510,489)	0	(2,510,489)	(27.39)	As a result of changes to financial eligibility for Long Term Care services and other In-Home service reductions over 1600 clients will no longer be eligible for In-Home care, removing Medicaid staffing and funding of approximately \$2,192,653. Over 1600 clients per month are expected to lose Long Term Care services in Multnomah County. In addition, the State is passing on a hiring freeze and will not pay COLA for Medicaid positions which will lead to corresponding expense reductions of approximately \$317,836 for this program in FY10.
DCHS	25024	ADS Adult Protective Services	4,387,926	4,387,926	(56,283)	0	(56,283)	(0.61)	The State is passing on a hiring freeze and will not pay COLA for Medicaid positions which will lead to corresponding expense reductions of approximately \$56,283 for this program in FY10.
DCHS	25027	ADS Administration	1,200,142	1,201,342	(15,312)	0	(15,312)	(0.17)	The State is passing on a hiring freeze and will not pay COLA for Medicaid positions which will lead to corresponding expense reductions of approximately \$15,312 for this program in FY10.
		Note: for all ADS programs receiving Medicaid funding							Governor's Revised Budget does not include anticipated 5% Equity adjustment which would have increased Medicaid funding for Multnomah County Aging and Disability Services Division by \$1,462,500 for FY10. This was a proposed policy option package that the Governor did not fund.
DCHS	25053	MH Quality Management and Protective Services	1,528,928	1,528,928	(185,939)	0	(185,939)	(2.00)	State allocation \$206,599 with a proposed 90% cut. County staffed program. Impact: Will eliminate funding for dedicated protective svcs staff. County staff will have to add this function to current duties. This will hold up investigations and resolution. Approx. 200 adults receive protective services annually.
DCHS	25055A	Mental Health Crisis Services	6,287,942	6,373,218	0	(1,310,554)	(1,310,554)	0.00	State allocation \$1,456,171 with a proposed 90% cut. Contractor: Cascadia. Impact: Will drastically reduce availability of services that prevent the need for high cost treatment and hospitalization. Will impact both the Urgent Walk -In Clinic and Mobile Outreach. Approx. 5,000 consumers/yr. served via Walk In; 11,500 contacts/yr via MH Mobile Team.
DCHS	25058	MH Commitment Services - Waitlist Reduction for State Hospital Admissions	5,500,542	5,500,542	0	(470,727)	(470,727)	0.00	State Allocation \$523,029 with a proposed 90% cut. Contractor: Central City Concern and Cascadia. Impact: Will reduce the number of FTE to perform discharge planning from state hospital to community. Approx. 150 consumers served annually

Multnomah County Service Estimated Impact (Governor's Proposed Budget FY 2009-2011)

Department	Program Offer Number	Program Name	FY 2009 Adopted Budget	FY 2009 Revised Budget	FY 2010 Estimated Add/Loss	FY 2010 County Contract Add/Loss	FY 2010 Total Change	FY 2010 County FTE Add/Loss	Service Impact Estimations/ Notes
DCHS	25058	MH Commitment Services - Involuntary Investigation Services	See Above	See Above	(538,700)	0	(538,700)	(9.00)	State allocation \$1,077,400 with a proposed 50% cut. County staffed program that is state mandated via ORS. Impact: Staff will be reduced by 50% and the mandate to investigate all involuntary holds within required timelines will not be met.
DCHS	25058	MH Commitment Services - Emergency Holds for Uninsured Individuals	See Above	See Above	0	(750,000)	(750,000)	0.00	State allocation \$1,500,000 with a proposed 50% cut. Funding pays as a last resort for indigent E-holds. Impact: Multnomah County must fund these holds when the state funding is exhausted. With the County's CGF deficit, we cannot make up the difference if funding from state is cut. Hospitals may not be paid for holds.
DCHS	25060	MH Residential Services - Transitional Housing for Adults	5,546,001	5,546,001	0	(250,344)	(250,344)	0.00	State allocation \$278,160 with a proposed 90% cut. Contractor: Luke-Dorf operating the Bridgeview. Impact: Cut takes more than 1/4 of annual funding from the only transitional housing program under contract with Mult. Co. Approx. 63 consumers/yr served who are homeless, experience severe mental illness and symptoms of addiction
DCHS	25088	Coordinated Diversion for Persons with Mental Illness	982,932	982,932	(884,639)	(98,293)	(982,932)	(7.00)	State allocation \$982,932 with a proposed 90% cut. Program includes community court, mental health court, and Intensive Treatment Program. Impact: Cut removes funding for all but community court.
DCHS	25088	370 Program	284,040	284,040	(255,636)	(28,404)	(284,040)	(2.00)	State allocation \$284,040 with a proposed 90% cut. Program consists of 2 Multnomah County staff who work with consumers charged with misdemeanors who are ordered to undergo a mental health evaluation with the goal of diverting them from incarceration into treatment. Impact: Staff will be cut and consumers with mental illness will be incarcerated rather than diverted to treatment.
DCHS	25060	MH Residential Services - Residential Services for Adults	See Above	See Above	0	(144,007)	(144,007)	0.00	State allocation \$160,008 with a proposed 90% cut. Contractor: Taft Hotel. Impact: Will reduce current capacity of 15 beds to 6 beds. This program houses older and disabled consumers who have symptoms of severe mental illness and complex medical issues. This will reduce our ability to house older disabled consumers.
DCHS	25064	Early Psychosis Intervention Services	1,032,094	1,032,094	(696,664)	0	(696,664)	(11.00)	State allocation \$774,071 with a proposed 90% cut. County staff program. Impact: Program will close entirely as it has not been operating long enough to be sustainable without this state funding. Approx. 90 consumers/yr to be served, currently 30 enrolled.
DCHS	25080	Adult Addictions Treatment Continuum - A/D Residential Treatment	10,106,489	10,106,489	0	(4,405,054)	(4,405,054)	0.00	State allocation \$4,405,054 with a proposed 100% cut. Contractors: All A/D residential contractors. Impact: 100% state cut will eliminate A/D residential level of care in our community. Programs for women that are matched with children's beds will also be eliminated. Approx. 300 adults served plus 165 females in women specific residential programs.
DCHS	25080	Adult Addictions Treatment Continuum - Adult A/D Treatment	See Above	See Above	0	(2,542,370)	(2,542,370)	0.00	State allocation \$ 5,084,740 with a proposed 50% cut. Contractors: all county A/D outpatient providers. Impact: reduction in services to 1,800 individuals/yr will not get treatment they need for A/D problems. Approx. 4,500 adults receive A/D treatment/yr.
DCHS	25123	Youth Gang Prevention	1,226,642	1,226,642	0	(4,480)	(4,480)	0.00	Oregon Commission on Children and Families Funding 7% Projected Reduction to County's state allocation of \$64,000 Impact: negligible
DCHS	25138	Runaway Youth Services	909,882	909,882	0	(14,262)	(14,262)	0.00	Oregon Commission on Children and Families Funding 7% Projected Reduction to County's state allocation of \$203,738. These funds are pass through from CCFC so they show a corresponding reduction. Impact: May result in loss of full 24 hour shelter due to other budget reductions to contractor, in addition to these.
DCHS	25149	Social & Support Services for Educational Success	2,216,512	2,216,512	0	(25,016)	(25,016)	0.00	Oregon Commission on Children and Families Funding 7% Projected Reduction to County's state allocation of \$357,366 Impact: Limited - perhaps 25 youth will not participate in services
DCHS	25151	Child Development Services	1,467,599	1,467,599	0	(12,426)	(12,426)	0.00	Oregon Commission on Children and Families Funding 7% Projected Reduction to County's state allocation of \$177,516 Impact: Limited - perhaps 6 families per year will not participate
DA			0	0	0	0	0	0.00	No Significant impacts Identified at this time
DCJ		Gang Transition Svcs - GRIT	1,482,608	1,482,608			0		Governor's budget includes a description of "modest increase" so we are assuming no change until we get more information.

Multnomah County Service Estimated Impact (Governor's Proposed Budget FY 2009-2011)

Department	Program Offer Number	Program Name	FY 2009 Adopted Budget	FY 2009 Revised Budget	FY 2010 Estimated Add/Loss	FY 2010 County Contract Add/Loss	FY 2010 Total Change	FY 2010 County FTE Add/Loss	Service Impact Estimations/ Notes
DCJ		Gang Transition Svcs - EMGET	434,698	434,698			0		Governor's budget includes a description of "modest increase" for OYA funding, so we are assuming no change until we get more information.
DCJ		Individualized Svcs - FLEX	115,095	115,095			0		Governor's budget includes a description of "modest increase" for OYA funding, so we are assuming no change until we get more information.
DCJ		OCCF JCP Prevention	633,455	633,455	(44,912)		(44,912)	(0.48)	Governor's budget includes a reduction of 7.09% of current allocation. This amount would translate into a partial FTE, currently budgeted in Juvenile Assessment and Treatment of Youth and Families (ATYF).
DCJ		Juvenile Crime Prevention - Basic	891,202	891,202	26,362		26,362	0.33	OYA has increased the biennial allocation from \$1,747,454 to \$1,801,254.
DCJ		OYA JCP Diversion	756,313	756,313	22,372		22,372	0.28	OYA has increased the biennial allocation from \$1,482,966 to \$1,528,624.
DCJ		State Mental Health	216,969	216,969		(216,969)	(216,969)		Preliminary notice from County DCHS is that this amount of State Mental Health Grant will not be passed through to DCJ for outpatient A&D treatment.
DCJ		CASA	152,390	152,390			0		This funding is a pass-through of allocated funds. Unknown at this time if that figure will change.
DCJ		Parole Hearing	45,241	45,241			0		Unknown if the figure will change.
DCJ		DOC 1145	18,175,511	18,175,511	(1,027,659)		(1,027,659)	(10.89)	Governor's budget reduces the statewide allocation by \$15 million to account for effects of Measure 57. We are assuming for now that our proportion of the total state population will remain constant.
DCJ		DOC Measure 57 (new)	0	0	1,076,729		1,076,729	10.72	Governor's budget adds funding for the effects of Measure 57 at \$15 million statewide. Assuming that distribution of that funding is at the existing population share.
DCJ		DOC Subsidy	64,982	64,982			0		Unknown if the figure will change.
DCJ		DOC AIP	119,081	119,081			0		Unknown if the figure will change.
DCJ		DOC Sex Offender Depo-Provera	100,000	112,500		(112,500)	(112,500)		This funding was a one time allocation, which funded sex offender treatment contract.
DCJ		DOC Prisoner Re-Entry	11,250	11,250			0		Unknown if the figure will change.
DCJ		OYA Timber Backfill	321,613	0					This funding source never materialized in the current biennium, and we do not expect it to be funded in the new biennium.
DCJ		OYA SRTP	345,336	0					This funding source never materialized in the current biennium, and we do not expect it to be funded in the new biennium.
Health Department	25156A	La Clinica	720,587	720,587			0		
Health Department	40005	Public Health and Regional Health Systems	425,861	425,861			0		
Health Department	40010	Communicable Disease Prevention & Control	1,131,447	1,131,447			0		
Health Department	40011	STD/HIV/Hep C Community Prevention Program	1,504,942	1,504,942			0		There will be impacts but they are undefined at this point. The State is saying a \$1 million reduction to the whole program, but we do not know what portion of that is ours.
Health Department	40012	Services for Persons Living with HIV	719,160	719,160			0		
Health Department	40013A	Early Childhood Svcs for First Time Parents	3,589,165	3,589,165	(150,000)		(150,000)		7% cut on revenue received from Commission on Children & Families; Funding in FY09 \$2.1 million and no indirect is allowed. Funding supports 1) contracted services for case management for pregnant teens and; 2) supports nursing staff in Early Childhood S
Health Department	40013B	Early Childhood Svcs for High Risk Prenatal	1,250,293	1,250,293			0		
Health Department	40013C	Early Childhood Svcs for High Risk Infants and	2,137,988	2,137,988			0		
Health Department	40014	Immunization	190,630	190,630			0		
Health Department	40015	Lead Poisoning Prevention	10,000	10,000			0		
Health Department	40016A	Medicaid/Medicare Eligibility	814,864	814,864			0		
Health Department	40017	Dental Services	10,293,244	10,293,244	(4,200,000)		(4,200,000)	(23.00)	3,600 adults will lose dental services - Reduction of 6.6 dentists, 3 hygienists, 9 dental assistants, 2.5 OAs and 2 Operations Supervisors. The HD indicated that in all likelihood this would not result in closure of a clinic but a reduction in hours/days of services at all sites.
Health Department	40018	Women, Infants and Children (WIC)	3,023,889	3,023,889			0		
Health Department	40019	North Portland Health Clinic	2,961,882	2,961,882			0		
Health Department	40020	Northeast Health Clinic	3,630,591	3,630,591			0		
Health Department	40021A	Westside Health Clinic	2,582,494	2,582,494			0		
Health Department	40021B	Westside Health Clinic Youth and Homeless	251,123	251,123			0		Healthy Kids Plan and OHP Standard expansion would have a positive effect on our Medicaid revenue, but no amount is known at this time, nor will any

Multnomah County Service Estimated Impact (Governor's Proposed Budget FY 2009-2011)

Department	Program Offer Number	Program Name	FY 2009 Adopted Budget	FY 2009 Revised Budget	FY 2010 Estimated Add/Loss	FY 2010 County Contract Add/Loss	FY 2010 Total Change	FY 2010 County FTE Add/Loss	Service Impact Estimations/ Notes
Health Department	40022	Mid County Health Clinic	6,614,014	6,614,014			0		estimates be used in FY10 budget development.
Health Department	40023	East County Health Clinic	5,448,070	5,448,070			0		
Health Department	40024	School Based Health Centers	1,924,953	1,924,953			0		
Health Department	40031	Pharmacy	3,653,953	3,653,953			0		
Health Department	40035A	Health Planning and Evaluation	494,222	494,222			0		
Health Department	40047A	Chronic Disease Prevention	310,808	331,612			0		
Library	80006	Early Childhood Resources	588,485	1,031,901	0	0	0	0	Governor's proposed budget maintains "Ready to Read" funding at \$1.00 per child; MCL receives \$119,055. (Library Foundation funding of \$443,416 added with Bud Mod LIB-04)
Sheriff's Office	60041	MCIJ	9,353,509	9,353,509	(438,080)	0	(438,080)		With population forecasting and the effects of Measure 57, the estimated allocation would be \$245,000,000 statewide; the Governor's budget reflects \$231,900,000. The number provided by DCJ for the Sheriff's Office reflects a 4.68% decrease in funding.
Sheriff's Office	60065	River Patrol	830,986	830,986	(103,448)	0	(103,448)		The Governor's recommended budget for the board is \$32.9 million total funds. This is a 2.8 percent decrease from the 2007-09 Legislatively Approved Budget. The reduction number used is from a Marine Board memorandum to the Sheriff's Office.
Sheriff's Office	60035	Fac. Security Unit	551,342	551,342	(36,389)	0	(36,389)		The Judicial Branch agencies are a separate and independent branch of state government. The Governor does not have budgetary authority over them. However, the law requires the Governor to submit a balanced budget for the state. For this reason, the Govern
DCS		Transportation - Road & Bridge Services and Capital			0	0	0		Total Amount or impacts to specific programs is unknown at this time. The amount depends on the split with City of Portland and Gresham. Discussions are currently taking place to determine exact impact.
Total Impact to Multnomah County					(8,686,852)	(10,959,677)	(19,646,529)		

2009-2011 Multnomah County State Legislative Delegation

	District	Name	District	Committees	Multnomah County Constituency				
					Chair	District 1	District 2	District 3	District 4
Senate	14	Hass, Mark	Beaverton	Education & General Gov(Chair), Environment & Natural Resources, Finance & Revenue	Y	Y			
	16	Johnson, Betsy	Scappoose	Full W & M Vice Chair, W & M Transportation(Co-chair)	Y	Y			
	17	Bonamici, Suzanne	Washington County/NW Portland	Judiciary, Education & General Government, Consumer Protection & Public Affairs(Chair)	Y	Y			
	18	Burdick, Ginny	SW Portland	Finance & Revenue(Chair), Rules, Consumer Protection & Public Affairs	Y	Y			
	19	Devlin, Richard	Tualatin	Rules(Chair), W & M Education	Y	Y			
	21	Rosenbaum, Diane	Inner SE Portland	Commerce & Workforce Dev.(Chair), Consumer Protection & Public Affairs, Finance & Revenue	Y	Y			
	22	Carter, Margaret	North/NE Portland	Full W & M(Co-chair); W & M Capital Construction & IT, W & M Human Services	Y		Y		
	23	Dingfelder, Jackie	Central SE/NE Portland	Environmental & Natural Resources(Chair), Judiciary, W & M Natural Resources	Y		Y	Y	
	24	Monroe, Rod	Outer SE Portland	Full W & M, W & M Education(Co-chair)	Y			Y	
	25	Monnes-Anderson	Gresham	Health Care & Veterans Affairs(Chair), Human Services & Rural Health Policy, Commerce * Workforce Dev.	Y				Y
26	Metsger, Rick	Welches	Business & Transportation(Chair), Education & General Gov, Rules	Y				Y	
27	Read, Tobias	Beaverton	Sustainability & Economic Dev.(Chair), Revenue, Rules	Y	Y				
31	Witt, Brad	Clatskanie	Business & Labor, Business & Labor Subcommittee on Work Force Dev(Chair), Sustainability and Economic Dev., W & M Transportation & Economic Dev.	Y	Y				
33	Greenlick, Mitch	NW Portland	Health Care(Chair), Land Use, W & M Human Services	Y	Y				
35	Galizio, Larry	Tigard	Sustainability & Economic Dev.(Chair), Full W & M, W & M Capital Construction & IT, W & M Education	Y	Y				
36	Nolan, Mary	SW Portland	Land Use(Chair), Rules, House Administration	Y	Y				

House	38	Garrett, Chris	Lake Oswego	Health Care, Judiciary, Land Use(Vice-Chair)	Y	Y			
	41	Tomei, Carolyn	Milwaukie	W & M Human Services, Human Services(Chair), Consumer Protection	Y	Y			
	42	Kopel-Bailey, Jules	Inner SE Portland	Revenue(Vice-Chair), Transportation, Sustainability & Economic Dev., Environment & Water	Y	Y			
	43	Shields, Chip	Inner NE Portland	Full W & M, W & M Public Safety, Judiciary	Y		Y		
	44	Kotek, Tina	North Portland	Full W & M, W & M Human Services(Chair), Health Care	Y		Y		
	45	Dembrow, Michael	Central and Outer NE Portland	Education(Vice-Chair), Health Care, Business & Labor Subcommittee on Work Force Dev., Human Services	Y		Y		
	46	Cannon, Ben	Central SE and NE Portland	Environment & Water(Chair), Health Care, W & M Natural Resources	Y			Y	Y
	47	Smith, Jefferson	Outer SE and NE Portland	W & M General Government, Environmental & Water(Vice-Chair), Judiciary	Y			Y	Y
	48	Schaufler, Mike	Happy Valley	Business & Labor(Chair), Transportation, W & M Transportation & Economic Dev.	Y			Y	Y
	49	Kahl, Nick	Gresham/Wood Village	Transportation(Vice-Chair), Revenue, W & M Public Safety	Y				Y
	50	Matthews, Greg	Gresham	Veterans & Emergency Services(Vice-Chair), Business & Labor, Consumer Protection	Y				Y
	51	Barton, Brent	Outer SE/Clackamas	Business & Labor(Vice-Chair), Judiciary, Consumer Protection	Y				Y
52	VanOrman, Suzanne	Hood River	Education, Agriculture, Natural Resources, & Rural Communities(Vice-Chair), Human Services	Y				Y	
Total					29	14	5	5	9
County District Totals					29	14	5	5	9

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Sen. Joanne Verger
Sen. Larry George
Sen. Peter Courtney *

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Sen. Rod Monroe
Sen. Bruce Starr

** Once appointed, the incoming senator in District 20 will replace the Senate President on these two committees.*

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Suzanne VanOrman, Vice Chair
Wayne Krieger, Vice Chair
Terry Beyer
Vic Gilliam
Arnie Roblan
Mike Schaufler
Matt Wingard

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Mike Schaufler, Chair
Brent Barton, Vice Chair
Kevin Cameron, Vice Chair
Chris Edwards
Sal Esquivel
Paul Holvey
Bill Kennemer
Greg Matthews
Kim Thatcher
Brad Witt

Business and Labor Subcommittee on Work Force Development

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John Huffman, Vice Chair
Michael Dembrow
Sal Esquivel
Paul Holvey

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Chuck Riley, Vice Chair
Jim Weidner, Vice Chair
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Michael Dembrow
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