



Multnomah County Oregon

Board of Commissioners & Agenda

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BOARD OF COMMISSIONERS

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APRIL 10, 2003

BOARD MEETING

FASTLOOK AGENDA ITEMS OF INTEREST

Pg 2	9:30 a.m. Update on Wapato Facility Program Space Modification
Pg 2	9:50 a.m. Resolution Approving County Sponsored Projects for 2003 Needs and Issues Inventory
Pg 3	10:05 a.m. Resolution Vacating Portion of SE Kane Drive
Pg 3	10:30 a.m. RESOLUTION Adopting County HIPAA Privacy Policies and Directing the Appointment of County Privacy Officer
Pg 3	10:45 a.m. Community Celebration of Public Health Heroes, a Celebration of Public Health Awareness Week (April 7 - April 13, 2003) in Multnomah County, Oregon

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

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Sunday, 11:00 AM, Channel 30

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(503) 491-7636, ext. 333 for further info

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Thursday, April 10, 2003 - 9:30 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

REGULAR MEETING

CONSENT CALENDAR - 9:30 AM

DEPARTMENT OF COUNTY HUMAN SERVICES

- C-1 ORDER Authorizing Designees of the Mental Health Program Director to Direct a Peace Officer to Take an Allegedly Mentally Ill Person into Custody

DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES

- C-2 ORDER Canceling the Execution of Earnest Money Agreement Between Multnomah County, Seller, and JEAN-CLAUDE JOECELYN, Purchaser, for Tax-Foreclosed Property Sold at Public Sale
- C-3 Intergovernmental Agreement 0110989 with TriMet and Lake Oswego, Providing Funds Exchange and Multnomah County's Financial Contributions for Maintenance to the Willamette Shore Line Right of Way

REGULAR AGENDA - 9:30 AM

PUBLIC COMMENT - 9:30 AM

Opportunity for Public Comment on Non-Agenda Matters. Testimony is Limited to Three Minutes per Person.

SHERIFF'S OFFICE - 9:30 AM

- R-1 Update on Wapato Facility Program Space Modification. Presented by Lieutenant Jay Heidenrich and Bob Nilsen. 20 MINUTES REQUESTED.

NON-DEPARTMENTAL - 9:45 AM

- R-2 PROCLAMATION Proclaiming the Week of April 14 through April 18, 2003 as "OREGON RESTORATIVE JUSTICE WEEK" in Multnomah County, Oregon
- R-3 RESOLUTION Approving Submittal of County Sponsored Projects for 2003 Needs and Issues Inventory

- R-4 RESOLUTION Vacating a Portion of SE Kane Drive, County Road No. 608, Pursuant to ORS Chapter 368
- R-5 RESOLUTION in Support for Issuance of Industrial Development Revenue Bonds by the State of Oregon to Aero Portland, LLC for an Air Cargo Business Project at Portland International Airport

COMMISSION ON CHILDREN, FAMILIES AND COMMUNITY - 10:15 AM

- R-6 Budget Modification NOND 04 to Recognize Actual Grant Balances

DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES - 10:20 AM

- R-7 RESOLUTION Accepting the Transfer of Jurisdiction of a Portion of NE Wistful Vista Drive, a City Street, from the City of Fairview as Authorized under ORS 368.062
- R-8 RESOLUTION Establishing a Portion of NE 207th Avenue as County Road No. 4998
- R-9 RESOLUTION Adopting Multnomah County HIPAA Privacy Policies and Directing the Appointment of County Privacy Officer

DEPARTMENT OF HEALTH - 10:35 AM

- R-10 NOTICE OF INTENT to Apply for Grant Funding from the US Department of Health and Human Services' Bureau of Primary Health Care to Expand Capacity to Provide Oral Health Services
- R-11 NOTICE OF INTENT to Apply for Grant Funding from the US Department of Health and Human Services' Health Resources and Services Administration (HRSA) to Provide Health Services to the Chronically Homeless
- R-12 Community Celebration of Public Health Heroes, a Celebration of Public Health Awareness Week (April 7 through April 13, 2003) in Multnomah County, Oregon. Presented by Lillian Shirley and Tricia Tillman-Reardon. 20 MINUTES REQUESTED. Reception to Follow.

MULTNOMAH COUNTY 2003-2004 BUDGET WORK SESSIONS AND HEARINGS

**(Unless otherwise noted, all sessions will be held in the Multnomah Building
Commissioners Boardroom 100, 501 SE Hawthorne, Portland)**

Cable coverage of the April 15 through June 11 budget work sessions, hearings and Thursday Board meetings are produced through Multnomah Community Television. Call (503) 491-7636, ext. 332 for further info or log onto <http://www.mctv.org> for the program guide/playback schedule. The sessions, hearings and Board meetings are available via media streaming at http://www.co.multnomah.or.us/cc/live_broadcast.shtml. Contact Board Clerk Deb Bogstad (503) 988-3277 for further information.

**Tue, April 15
9:30 - 12:00 p.m.**

Public Safety System
Adult Corrections
Juvenile Corrections

**Tue, April 22
9:30 - 12:00 p.m.**

A & D System

**Thu, May 1
9:30 - 12:00 p.m.**

**Chair's 2003-2004 Executive Budget Message
Public Hearing/Consideration of Resolution
Approving Executive Budget for Submission to
Tax Supervising and Conservation Commission**

**Tue, May 6
9:00 - 12:00 p.m.**

Financial Overview
Central CBAC Chair Presentation
Public Safety Service Area

**Tue, May 6
2:00 - 4:00 p.m.**

Individual Department Briefings:
MCSO
DCJ
DA

**Wed, May 7
9:00 - 12:00 p.m.**

Health and Human Services Service Area

**Wed, May 7
2:00 - 4:00 p.m.**

Individual Department Briefings:
Health
Human Services
OSCP
CCFC

MULTNOMAH COUNTY 2003-2004 BUDGET WORK SESSIONS AND HEARINGS

**(Unless otherwise noted, all sessions will be held in the Multnomah Building
Commissioners Boardroom 100, 501 SE Hawthorne, Portland)**

**Wed, May 7
6:00 - 8:00 p.m.**

**Public Hearing on the 2003-2004 Multnomah
County Budget - Multnomah County East
Building, Sharron Kelley Conference Room, 600
NE 8th, Gresham**

**Thu, May 8
9:30 - 12:00 p.m.**

**Public Hearing/Consideration of Approval of the
2003-2004 Dunthorpe Riverdale Sanitary Service
District No. 1 Proposed Budget for Submittal to
Tax Supervising and Conservation Commission
Public Hearing/Consideration of Approval of the
2003-2004 Mid County Street Lighting Service
District No. 14 Proposed Budget for Submittal to
Tax Supervising and Conservation Commission**

**Tue, May 13
9:00 - 12:00 p.m.**

**General Government Service Area & Dept Briefings
Non-Departmental
Library
BCS**

**Tue, May 13
2:00 - 4:00 p.m.**

**Individual Department Briefings
BCS Facilities & Capital
Shared Services**

**Wed, May 14
9:00 - 12:00 p.m.**

General Follow Up

**Wed, May 14
2:30 - 4:00 p.m.**

Health and Human Services Follow Up

**Wed, May 14
6:00 - 8:00 p.m.**

**Public Hearing on the 2003-2004 Multnomah
County Budget - Portland Community College,
Cascade Campus, Student Center Building
Cafeteria, 705 N Killingsworth, Portland**

**Tue, May 20
9:00 - 12:00 p.m.**

**Legislative Update
General Government Follow Up**

MULTNOMAH COUNTY 2003-2004 BUDGET WORK SESSIONS AND HEARINGS

**(Unless otherwise noted, all sessions will be held in the Multnomah Building
Commissioners Boardroom 100, 501 SE Hawthorne, Portland)**

**Tue, May 20
2:00 - 4:00 p.m.**

If Needed General Follow Up

**Wed, May 21
9:00 - 12:00 p.m.**

If Needed General Follow Up

**Wed, May 21
2:00 - 4:00 p.m.**

If Needed General Follow Up

**Wed, May 21
6:00 - 8:00 p.m.**

**Public Hearing on the 2003-2004 Multnomah
County Budget - Multnomah Building,
Commissioners Boardroom 100, 501 SE
Hawthorne, Portland**

**Tue, May 27
9:00 - 12:00 p.m.**

School Policy Framework

**Tue, May 27
2:00 - 4:00 p.m.**

If Needed Budget Work Session

**Wed, May 28
9:00 - 12:00 p.m.**

Amendments

**Wed, May 28
2:00 - 4:00 p.m.**

Amendments

**Tue, June 3
9:00 - 12:00 p.m.**

Amendments

**Tue, June 3
2:00 - 4:00 p.m.**

Amendments

**Wed, June 4
1:00 - 4:00 p.m.**

Question Follow Up

**Thu, June 5
9:30 - 10:15 a.m.**

**Tax Supervising and Conservation Commission
Public Hearings on the Multnomah County 2002-
2003 Supplemental Budget; and the 2003-2004
Budget - Multnomah Building, Commissioners
Boardroom 100, 501 SE Hawthorne, Portland**

MULTNOMAH COUNTY 2003-2004 BUDGET WORK SESSIONS AND HEARINGS

**(Unless otherwise noted, all sessions will be held in the Multnomah Building
Commissioners Boardroom 100, 501 SE Hawthorne, Portland)**

**Tue, June 10
9:00 - 12:00 p.m.**

Amendments

**Tue, June 10
2:00 - 4:00 p.m.**

Amendments

**Wed, June 11
9:00 - 12:00 p.m.**

Amendments

**Wed, June 11
2:30 - 4:00 p.m.**

Amendments

**Thu, June 12
9:30 - 12:00 p.m.**

**Public Hearing and Resolution Adopting the 2003-
2004 Budget for Multnomah County Pursuant to
ORS 294**

**Public Hearing and Resolution Adopting the 2003-
2004 Budget for Dunthorpe Riverdale Sanitary
Service District No. 1**

**Public Hearing and Resolution Adopting the 2003-
2004 Budget for Mid County Street Lighting**

Service District No. 14 and Making Appropriations

**Public Hearing and Resolution Adopting the 2003-
2004 Mt. Hood Cable Regulatory Commission
Budget**

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: April 10, 2003

Agenda Item #: C-1

Est. Start Time: 9:30 AM

Date Submitted: 03/13/03

Requested Date: Next Available

Amount of Time Requested: N/A

Department: DCHS

Division: Behavioral Health

Contact/s: Jean Dentinger

Phone: 503-988-5464

Ext.: 27297

I/O Address: 166/5

Presenters: Consent Calendar

Agenda Title: Order Authorizing Designees of the Mental Health Program Director to Direct a Peace Officer to take an Allegedly Mentally Ill Person into Custody.

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

Please answer all relevant questions; leave others blank. Please do not alter form.

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

Requesting approval of designees. The Department of Behavioral Health is recommending approval of the designees in accordance with ORS.426.215.

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

Outpatient mental health agencies depend upon certain staff having the ability to assess clients for a Director designee Custody. This certification allows the designee to direct the police officer to take into custody any individual with mental health issues who is judged dangerous to self or others. Police then transport the individual to a treatment center. As agencies experience staffing turnovers, new staff needs to be trained and authorized.

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

None.

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

If a budget modification, explain:

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

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain:

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

If grant application/notice of intent, explain:

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

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

In accordance with ORS 426.215

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

None.

Required Signatures:

Department/Agency Director: Patricia K. Pate

Date: 03/12/03

County Attorney

By: _____

Date:

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDER NO. _____

Authorizing Designees of the Mental Health Program Director to Direct a Peace Officer to Take an Allegedly Mentally Ill Person into Custody

The Multnomah County Board of Commissioners Finds:

- a) If authorized by a county governing body, a designee of a mental health program director may direct a peace officer to take into custody a person whom the designee has probable cause to believe is dangerous to self or others and whom the designee has probable cause to believe is in need of immediate care, custody, and treatment of mental illness.
- b) There is a current need for specified designees of the Multnomah County Mental Health Program Director to have the authority to direct a peace officer to take an allegedly mentally ill person into custody.
- c) All the designees listed below have been specifically recommended by the Mental Health Program Director and meet the standards established by the Mental Health Division.

The Multnomah County Board of Commissioners Orders:

- 1. The individuals listed below are authorized as designees of the Mental Health Program Director for Multnomah County to direct any peace officer to take into custody a person whom the designee has probable cause to believe is dangerous to self or others and whom the designee has probable cause to believe is in need of immediate care, custody or treatment for mental illness.
- 2. Added to the list of designees are:

Alaina Zipp
Kathy Lefor
Sherri Holman
Debbie Tomason
Kathryn Reder
Linda McNellis
Leticia Monjaras

ADOPTED this 10th day of April, 2003.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, ACTING COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Patrick Henry, Assistant County Attorney

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDER NO. 03-055

Authorizing Designees of the Mental Health Program Director to Direct a Peace Officer to Take an Allegedly Mentally Ill Person into Custody

The Multnomah County Board of Commissioners Finds:

- a) If authorized by a county governing body, a designee of a mental health program director may direct a peace officer to take into custody a person whom the designee has probable cause to believe is dangerous to self or others and whom the designee has probable cause to believe is in need of immediate care, custody, and treatment of mental illness.
- b) There is a current need for specified designees of the Multnomah County Mental Health Program Director to have the authority to direct a peace officer to take an allegedly mentally ill person into custody.
- c) All the designees listed below have been specifically recommended by the Mental Health Program Director and meet the standards established by the Mental Health Division.

The Multnomah County Board of Commissioners Orders:

1. The individuals listed below are authorized as designees of the Mental Health Program Director for Multnomah County to direct any peace officer to take into custody a person whom the designee has probable cause to believe is dangerous to self or others and whom the designee has probable cause to believe is in need of immediate care, custody or treatment for mental illness.
2. Added to the list of designees are:

Alaina Zipp
Kathy Lefor
Sherri Holman
Debbie Tomason
Kathryn Reder
Linda McNellis
Leticia Monjaras

ADOPTED this 10th day of April, 2003.



REVIEWED:

AGNES SOWLE, ACTING COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By Patrick W. Henry
Patrick Henry, Assistant County Attorney

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn
Diane M. Linn, Chair

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: April 10, 2003

Agenda Item #: C-2

Est. Start Time: 9:30 AM

Date Submitted: 03/14/03

Requested Date: April 10, 2003

Time Requested: N/A

Department: DBCS

Division: Tax Title

Contact/s: Gary Thomas

Phone: 503-988-3590

Ext.: 22591

I/O Address: 503/4 Tax Title

Presenters: Consent Calendar

Agenda Title: Order Authorizing the Cancellation of the Earnest Money Agreement between Jean-Claude Joecelyn and Multnomah County

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

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

The Tax Title Section is requesting that the Board enter an Order canceling the Earnest Money Agreement between Multnomah County and Jean-Claude Joecelyn. The Department of Business and Community Services recommends that the cancellation be approved.

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

The subject property was foreclosed on for delinquent tax liens and deeded to the County in 1999. The property has a value of \$56,430.00 and was for sale at the February 25, 2003. Jean-Claude Joecelyn was the highest bidder at \$74,000. Mr.

Joecelyn deposited a check for \$7900 with Multnomah County, pursuant to the Earnest Money Agreement.

On February 26, 2003, Mr. Joecelyn expressed that he did not want to purchase the property any longer. Multnomah County has agreed to return \$6900 of the \$7900 earnest money to Mr. Joecelyn; \$1000 is retained to offset the costs associated with the auction, sale and cancellation of sale.

ORS 275.220 provides that upon default, the Board may cancel the contract.

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

\$1000 has been kept to cover the costs associated with the auction, sale and cancellation of the sale.

4. Explain any legal and/or policy issues.

No legal issues are expected.

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

No citizen or government participation is anticipated.

Required Signatures:

Department/Agency Director:

 3/13/03

Date:

Budget Analyst

By:

Date:

Dept/Countywide HR

By:

Date:

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDER NO. _____

Canceling the Execution of Earnest Money Agreement Between Multnomah County, Seller, and JEAN-CLAUDE JOECELYN, Purchaser, for Tax-Foreclosed Property Sold at Public Sale

The Multnomah County Board of Commissioners Finds:

- a. On February 25, 2003, Multnomah County conducted a public auction and sale of tax-foreclosed real properties, including the property described as:

LOT 1, SIR GATTO, City of Portland, Multnomah County, Oregon
- b. The public sale was conducted consistent with the requirements of ORS 275.110 to 275.250 and MCC Chapter 7.
- c. JEAN-CLAUDE JOECELYN, was the highest bidder at the sale with a bid of \$74,000 and the County acknowledges receipt of the sum of \$7,900, as deposit paid by Buyer on the day of the sale, with the remainder of the purchase price to be paid pursuant to the proposed Earnest Money Agreement at closing, which is scheduled for May 26, 2003.
- d. The Sheriff delivered to the Buyer a Certificate of Sale as required under ORS 275.150 containing the legal description of the property, the whole purchase price, the amount paid in cash, and the date upon which the future payment will become due.
- e. On February 26, 2003, JEAN-CLAUDE JOECELYN, Purchaser, contacted Multnomah County with his intention to cancel his purchase of the property.
- f. ORS 275.220 provides that upon default, the Board may cancel the contract.
- g. The Earnest Money Agreement provides for forfeiture of the deposit in the event of cancellation, however, Multnomah County will return \$6,900 of the \$7,900 deposit paid by Purchaser. The remaining \$1000 is retained to offset costs associated with the auction, sale and cancellation of sale.

The Multnomah County Board of Commissioners Orders:

1. The subject earnest money agreement be and is declared CANCELLED.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDER NO. 03-048

Canceling the Execution of Earnest Money Agreement Between Multnomah County, Seller, and JEAN-CLAUDE JOECELYN, Purchaser, for Tax-Foreclosed Property Sold at Public Sale

The Multnomah County Board of Commissioners Finds:

- a. On February 25, 2003, Multnomah County conducted a public auction and sale of tax-foreclosed real properties, including the property described as:

LOT 1, SIR GATTO, City of Portland, Multnomah County, Oregon
- b. The public sale was conducted consistent with the requirements of ORS 275.110 to 275.250 and MCC Chapter 7.
- c. JEAN-CLAUDE JOECELYN, was the highest bidder at the sale with a bid of \$74,000 and the County acknowledges receipt of the sum of \$7,900, as deposit paid by Buyer on the day of the sale, with the remainder of the purchase price to be paid pursuant to the proposed Earnest Money Agreement at closing, which is scheduled for May 26, 2003.
- d. The Sheriff delivered to the Buyer a Certificate of Sale as required under ORS 275.150 containing the legal description of the property, the whole purchase price, the amount paid in cash, and the date upon which the future payment will become due.
- e. On February 26, 2003, JEAN-CLAUDE JOECELYN, Purchaser, contacted Multnomah County with his intention to cancel his purchase of the property.
- f. ORS 275.220 provides that upon default, the Board may cancel the contract.
- g. The Earnest Money Agreement provides for forfeiture of the deposit in the event of cancellation, however, Multnomah County will return \$6,900 of the \$7,900 deposit paid by Purchaser. The remaining \$1000 is retained to offset costs associated with the auction, sale and cancellation of sale.

The Multnomah County Board of Commissioners Orders:

1. The subject earnest money agreement be and is declared CANCELLED.

2. The MULTNOMAH COUNTY SHERIFF serve a certified copy of this order and return of service be made upon such copy of the order to:

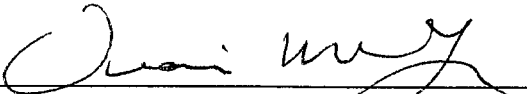
JEAN-CLAUDE JOECELYN, 10202 N. Leonard, Portland, Oregon 97203.

ADOPTED this 10th day of April 2003.

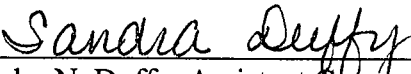


REVIEWED:

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Diane M. Linn, Chair

AGNES SOWLE, ACTING COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Sandra N. Duffy, Assistant County Attorney

**CANCELLATION OF EARNEST MONEY AGREEMENT
BETWEEN JEAN-CLAUDE JOECELYN and MULTNOMAH COUNTY**

On February 25, 2003, Multnomah County conducted a public auction and sale of tax-foreclosed real properties, including the property described as:

LOT 1, SIR GATTO, City of Portland, Multnomah County, Oregon

Recitals

1. The public sale was conducted consistent with the requirements of ORS 275.110 to 275.250 and MCC Chapter 7.
2. JEAN-CLAUDE JOECELYN, was the highest bidder at the sale with a bid of \$74,000 and the County received the sum of \$7,900 as deposit paid by Buyer on the day of the sale, with the remainder of the purchase price to be paid pursuant to the proposed Earnest Money Agreement at closing, scheduled for May 26, 2003.
3. On February 26, 2003, JEAN-CLAUDE JOECELYN, purchaser, contacted Multnomah County with his intention to cancel his purchase of the property.
4. ORS 275.220 provides that upon default, the Board may cancel the contract. On April 10, 2003, the Board entered an Order that this earnest money agreement be cancelled.

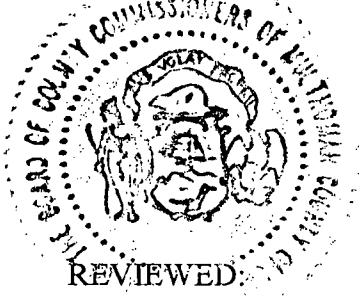
Agreement

1. The Earnest Money Agreement provides for forfeiture of the deposit in the event of cancellation, however, Multnomah County will return \$6,900 of the \$7,900 deposit paid by Purchaser. The remaining \$1000 is retained to offset costs associated with the auction, sale and cancellation of sale.
2. The subject earnest money agreement is declared CANCELLED.
3. A certified copy of the Order will be made upon:

JEAN-CLAUDE JOECELYN, 10202 N. Leonard, Portland, Oregon 97203.

4. This Cancellation Agreement sets forth the entire understanding of the parties with respect to the cancellation of the earnest money agreement between MULTNOMAH COUNTY and JEAN-CLAUDE JOECELYN.

ADOPTED this 10th day of April 2003.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

AGNES SOWLE,
ACTING COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

BUYER:

By
Sandra N. Duffy, Asst. County Attorney

Jean-Claude Joecelyn

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: April 10, 2003

Agenda Item #: C-3

Est. Start Time: 9:30 AM

Date Submitted: 03/14/03

Requested Date: April 10, 2003

Time Requested: N/A

Department: DBCS

Division: Land Use & Transportation

Contact/s: Karen Schilling

Phone: 503-988-5050

Ext.: 29635 **I/O Address:** 455/2nd Floor

Presenters: Consent Calendar

Agenda Title: Approval of Intergovernmental Agreement between Multnomah County, TriMet, and Lake Oswego for Funds Exchange and County's Financial Contributions for Maintenance to the Willamette Shore Line Right of Way.

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

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

Approval of an Intergovernmental Agreement between Multnomah County, TriMet, and Lake Oswego for Funds Exchange and County's Financial Contributions for Maintenance to the Willamette Shore Line Right of Way. The Department recommends approval.

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

In 1988, Portland, Metro, Lake Oswego, Multnomah and Clackamas Counties entered into an Intergovernmental Agreement for the purchase of the Jefferson Street Rail Line for the purpose of preserving the Jefferson Street Rail Line, also known as the Willamette Shore Trolley Line, for public rail mass-transit use.

Each member of the consortium was asked to contribute \$20,000 per year for five years, starting in fiscal year 2002. The County is restricted from spending gas tax revenue in a rail corridor and the County's general funds are severely constrained. In a letter from Chair Diane Linn and Commissioner Maria Rojo de Steffey dated April 15, 2002, Multnomah County agreed to contribute \$40,000 from the funds currently programmed for the construction of the Morrison Bridge Bike and Pedestrian Facility. These federal funds will be transferred to TriMet on the condition that TriMet use the funds toward a bus purchase. TriMet will contribute, on behalf of the County, \$40,000 of general funds to Lake Oswego for maintenance of the Willamette Shore Trolley Line. Lake Oswego is currently designated as the responsible party for operation and maintenance of the corridor.

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

The County has not received the \$40,000 at this time since we have not signed a construction agreement for the project. The Morrison Bridge project is currently programmed to be constructed in fiscal year 2005. At that time the County will backfill the \$40,000 to the Morrison Bridge project, using road fund, bridge fund, and bike fund. The City of Lake Oswego acts as the banker for the consortium.

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

If a budget modification, explain:

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

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain:

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

If grant application/notice of intent, explain:

- ❖ **Who is the granting agency?**
- ❖ **Specify grant requirements and goals.**

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

4. Explain any legal and/or policy issues.

Since the County is restricted from using gas tax money in a rail corridor, the transfer of funds is one way that the County can contribute to the maintenance of the Willamette Shore Line corridor. The consortium has asked for a commitment from each member for \$20,000 for each of five years (2002-2006). The County's contribution for 2002 and 2003 comes from a committed MTIP project. However, we will need to decide in the future what funds will be used as our contribution.

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

The consortium consists of Metro, TriMet, Lake Oswego, Portland, Clackamas County, Multnomah County, and ODOT. The consortium meets on an as-needed basis to discuss funding, maintenance, and other issues.

Required Signatures:

Department/Agency Director: M. Cecilia Johnson Date: 03/13/03

Budget Analyst

By: _____ Date: _____

Dept/Countywide HR

By: _____ Date: _____

MULTNOMAH COUNTY CONTRACT APPROVAL FORM

Contract #: **0110989**

Pre-approved Contract Boilerplate (with County Counsel signature) ☐ Attached ☒ Not Attached

Amendment #: _____

CLASS I	CLASS II	CLASS III
<input type="checkbox"/> Professional Services not to exceed \$50,000 (and not awarded by RFP or Exemption) <input type="checkbox"/> Revenue not to exceed \$50,000 (and not awarded by RFP or Exemption) <input checked="" type="checkbox"/> Intergovernmental Agreement (IGA) not to exceed \$50,000 <input type="checkbox"/> Expenditure <input type="checkbox"/> Revenue <input type="checkbox"/> Architectural & Engineering not to exceed \$10,000 (for tracking purposes only)	<input type="checkbox"/> Professional Services that exceed \$50,000 or awarded by RFP or Exemption (regardless of amount) <input type="checkbox"/> PCRB Contract <input type="checkbox"/> Maintenance Agreement <input type="checkbox"/> Licensing Agreement <input type="checkbox"/> Construction <input type="checkbox"/> Grant <input type="checkbox"/> Revenue that exceeds \$50,000 or awarded by RFP or Exemption (regardless of amount)	<input type="checkbox"/> Intergovernmental Agreement (IGA) that exceeds \$50,000 <input type="checkbox"/> Expenditure <input type="checkbox"/> Revenue <p style="text-align: center;">APPROVED MULTNOMAH COUNTY BOARD OF COMMISSIONERS</p> <p>AGENDA # <u>C-3</u> DATE <u>04.10.03</u> DEB BOGSTAD, BOARD CLERK</p>

Department: Business and Community Services

Division: Land Use & Trans Program

Date: March 3, 2003

Originator: Karen Schilling

Phone: X29635

Bldg/Rm: 455/Annex

Contact: Cathey Kramer

Phone: X22589

Bldg/Rm: 455/Annex

Description of Contract: Governmental Agreement to authorize Multnomah County to transfer CMAQ funds allocated to the Morrison Bridge Bike & Pedestrian Facility to TriMet. TriMet will transfer general funds to Lake Oswego to be used for the maintenance of the Willamette Shore Line Trolley right of way.

RENEWAL: ☐ PREVIOUS CONTRACT #(S): _____

RFP/BID: _____ RFP/BID DATE: _____

EXEMPTION _____ EXEMPTION EXPIRATION _____

ORS/AR _____

#/DATE: _____ DATE: _____ #:

CONTRACTOR IS: ☐ MBE ☐ WBE ☐ ESB ☐ QRF ☒ N/A ☐ NONE (Check all boxes that apply)

Contractor <u>TriMet</u> Address <u>710 NE Holiday St</u> <u>Portland OR 97232-2168</u> <u>Tamara H. Lewis</u> Phone <u>(503) 962-2212</u> Employer ID# or SS# <u>N/A</u> Effective Date <u>Upon execution</u> Termination Date <u>Upon payment</u> Original Contract Amount \$ _____ Total Amt of Previous Amendments \$ _____ Amount of Amendment \$ _____ Total Amount of Agreement \$ <u>40,000.00</u>	Remittance address _____ (If different) _____ Payment Schedule / Terms <input checked="" type="checkbox"/> Lump Sum \$ <u>\$40,000.00*</u> <input type="checkbox"/> Due on Receipt <input type="checkbox"/> Monthly \$ _____ <input type="checkbox"/> Net 30 <input type="checkbox"/> Other \$ _____ <input type="checkbox"/> Other * Paid by TriMet to Lake Oswego <input type="checkbox"/> Requirements Not to Exceed \$ _____ Encumber <input type="checkbox"/> Yes <input type="checkbox"/> No
---	--

REQUIRED SIGNATURES:

Department Manager: [Signature]

DATE: 3/13/03

Purchasing Manager: _____

DATE: _____

(Class II Contracts Only)

County Counsel: [Signature]

DATE: 3/19/03

County Chair: [Signature]

DATE: 4.10.03

Sheriff: _____

DATE: _____

Contract Administration: _____

DATE: _____

(Class I, Class II Contracts only)

LGFS VENDOR CODE						DEPT REFERENCE					
LINE #	PLANT	WBS	GL ACCT	SUB ORG	ACTIVITY	OBJ/ REV	SUB OBJ	REP CAT	SAP DESCRIPTION	AMT	INC DEC
01	F030	TRANPLRPG520									
02											

Exhibit A, Rev. 3/25/98 DIST: Originator, Accts Payable, Contract Admin - Original If additional space is needed, attach separate page. Write contract # on top of page.

**INTERGOVERNMENTAL AGREEMENT BETWEEN
MULTNOMAH COUNTY, TRI-COUNTY METROPOLITAN
TRANSPORTATION DISTRICT OF OREGON, AND CITY OF LAKE
OSWEGO FOR FUNDS EXCHANGE AND FOR MULTNOMAH COUNTY'S
FISCAL YEAR 2002 AND 2003 FINANCIAL CONTRIBUTIONS FOR
MAINTENANCE TO THE WILLAMETTE SHORE LINE RIGHT-OF-WAY**

This Intergovernmental Agreement ("Agreement") is made and entered into this ____ day of _____, 2003, between Multnomah County, Oregon ("Multnomah"), the Tri-County Metropolitan Transportation District of Oregon, a mass transit district organized under the laws of the State of Oregon ("TriMet"), and the City of Lake Oswego, a municipal corporation organized under the laws of the State of Oregon ("Oswego"), acting individually and in their capacities as members of the Willamette Shore Line Consortium.

RECITALS

A. This Agreement is entered into pursuant to applicable provisions of the Oregon Revised Statutes, and each of the parties hereto has authority to enter into this Agreement.

B. In June 1988, the City of Portland, Metro, Oswego, Multnomah and Clackamas County (the "Governmental Bodies") entered into an Intergovernmental Agreement for the Purchase of the Jefferson Street Rail Line for the purpose of preserving the Jefferson Street Rail Line, also known as the Willamette Shore Trolley Line (the "Right-of-Way") for public rail mass transit use.

C. In November 1994, the Governmental Bodies and Tri-Met entered into an Intergovernmental Agreement for the Management of the Willamette Shore Line Right-of-Way (the "Management IGA"). Pursuant to the Management IGA, the Willamette Shore Line Consortium ("Consortium"), comprised of the Governmental Bodies and TriMet, was established for the overall management of Right-of-Way.

D. Pursuant to the Management IGA, the Consortium has designated Oswego as the party responsible for current operation and maintenance of the Right-of-Way, consistent with the June 1990 Lease Agreement for the Jefferson Street Branch Rail Line Corridor between Oswego and the City of Portland.

E. Multnomah, as a member of the Consortium, desires to contribute to the maintenance of the Right-of-Way for fiscal years 2002 and 2003, in accordance with the terms and conditions set forth below.

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NOW, THEREFORE, the premises being in general as stated in the foregoing recitals, it is agreed by and between the parties hereto as follows:

TERMS OF AGREEMENT

1. Funds Exchange

a. Multnomah and TriMet desire to increase the amount and flexibility of funds available to spend directly on transportation projects.

b. To achieve this goal, Multnomah agrees to provide TriMet with \$40,000 in federal FY03 CMAQ funds ("CMAQ Funds"), on the condition that TriMet use such funds for the purchase of a bus. In exchange for said \$40,000 in CMAQ Funds, TriMet agrees to contribute, on behalf of Multnomah, \$40,000 in General Funds ("General Funds") to the maintenance of the Willamette Shore Line Trolley right-of-way (the "Right-of-Way") during fiscal years 2003 and 2004. TriMet's contribution on Multnomah's behalf as provided herein is intended to cover Multnomah's total financial responsibility for fiscal years 2002 and 2003, and shall be referred to as "Multnomah's contribution".

c. Within 30 days of FTA's approval of the bus grant amendment, and in consideration of the foregoing, TriMet shall send \$20,000 of its General Funds to Oswego for deposit into Oswego's Trolley Fund; TriMet will send the remaining \$20,000 of General Funds on January 15, 2004.

d. If the bus grant amendment is not awarded, Multnomah and TriMet will meet, and will discuss and mutually agree upon how to proceed.

2. Multnomah Contribution for Maintenance of the Right-of-Way:

a. For fiscal years 2002 and 2003, Multnomah's contribution shall be accomplished through TriMet's two \$20,000 contributions to Oswego, pursuant to the Funds Exchange provisions set forth above.

b. Multnomah and Oswego agree that Multnomah's contribution pursuant to this Intergovernmental Agreement may be utilized by Oswego, in its discretion, for compensation of the Trolley Operator.

3. Oswego Maintenance and Reporting Responsibilities:

a. Oswego shall deposit any of Multnomah's contribution not paid to the Trolley Operator pursuant to paragraph 2.b., above, into Oswego's Trolley Fund for maintenance of the Right-of-Way.

b. Oswego shall track and dispense Multnomah's contribution for

maintenance of the Right-of-Way in accordance with the work programs and budgets periodically adopted by the Consortium, and shall make periodic progress and financial reports to Multnomah concerning maintenance expenditures for which the funds contributed by Multnomah have been utilized.

4. General Provisions:

a. Term of Agreement; Termination: This Agreement shall be in effect from the date of execution by all parties, and unless terminated by mutual written consent of all parties, shall remain in effect until the completion of all obligations created by this Agreement. Any termination of this agreement shall not prejudice any rights or obligations accrued to the parties prior to termination.

b. Independent Contractors; No Agency: In connection with this Agreement, each party is an independent contractor for all purposes and will have no authority to bind or commit the other.

c. No Third Party Beneficiaries: Multnomah, Tri-Met and Oswego are the only parties to this Agreement, and as such are the only parties entitled to enforce its terms. Nothing in this Agreement gives or shall be construed to give or provide any benefit, direct, indirect or otherwise, to any third party unless such third party is expressly described in a modification or amendment to the Agreement, and such third party is intended by the parties hereto to be a beneficiary of such modification or amendment to this Agreement.

d. Notices: All notices and communications under this Agreement shall be directed to the representatives designated below:

For Multnomah: Karen Schilling
Multnomah County
Transportation Planning Administrator
1600 SE 190th Ave
Portland OR 97233-5910

For TriMet: Amy Fandrich
Tri-Met
Capital Projects and Facilities
710 NE Holladay Street
Portland, Oregon 97232

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For Oswego: Tom Tushner, PE
Assistant City Engineer
City of Lake Oswego
P.O. Box 369
Lake Oswego, Oregon 97034

Any notices or communications hereunder shall be in writing and deemed effective if deposited in U.S. Mail (certified return receipt), hand delivered, or transmitted by facsimile with successful confirmation.

e. Integration: This document constitutes the entire agreement between the parties and supersedes all prior or contemporaneous written or oral understandings, representations or communications of every kind. No course of dealing between the parties and no usage of trade will be relevant to supplement any term used in this Agreement. Acceptance or acquiescence in a course of performance rendered under this Agreement will not be relevant to determine the meaning of this Agreement and no waiver by a party of any right under this Agreement will prejudice the waiving party's exercise of the right in the future.

f. Waiver and Amendment: No waiver of any portion of this Agreement and no amendment, modification or alteration of this Agreement shall be effective unless in writing and signed by the authorized representative of each party.

g. Interpretation of Agreement: The parties agree that they jointly contributed to the drafting of this Agreement, and that in the event of any ambiguity, the terms of this Agreement shall not be construed for or against any party by reason of the authorship or alleged authorship of any provision. The paragraph headings contained in this Agreement are for ease of reference only and shall not be used in constructing or interpreting this Agreement.

h. Binding Effect: This Agreement shall be binding and inure to the benefit of each of the parties' successors and assigns. No party may assign its obligations under this Agreement without the express written consent of the other parties.

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

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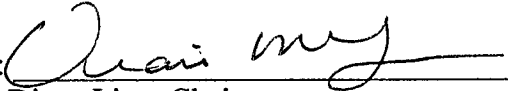
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j. Counterparts: This agreement may be signed in counterparts.

IN WITNESS WHEREOF, the parties have executed this agreement effective for the dates noted herein.

MULTNOMAH COUNTY, OREGON

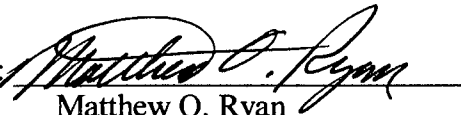
By: 
Diane Linn, Chair
Board of County Commissioners

**TRI-COUNTY METROPOLITAN
TRANSPORTATION DISTRICT OF
OREGON**

By: _____
Neil McFarlane
Executive Director
Capital Projects and Facilities

REVIEWED:
Agnes Sowle, Acting County Attorney
for Multnomah County, Oregon

Approved as to form and legal sufficiency
for TriMet

By: 
Matthew O. Ryan
Assistant County Attorney

Name: _____
Title: _____

CITY OF LAKE OSWEGO

By: _____
Name: _____
Title: _____

Approved as to form and legal sufficiency
for City of Lake Oswego

Name: _____
Title: _____

KSCCK2813.AGR (TRANPLRPG520)

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: April 10, 2003

Agenda Item #: R-1

Est. Start Time: 9:30 AM

Date Submitted: 03/18/03

Requested Date: April 10, 2003

Time Requested: 30 minutes

Department: Sheriff's Office

Division: Wapato Project

Contact/s: Lieutenant Jay Heidenrich or Bob Nilsen

Phone: (Jay) ext. 83282, (Bob) ext. 84510

Presenters: Lieutenant Jay Heidenrich and Bob Nilsen

Agenda Title: WAPATO FACILITY UPDATE / PROGRAM SPACE MODIFICATION

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

1. **What action are you requesting from the Board? What is the department/agency recommendation?** Update/Briefing
2. **Please provide sufficient background information for the Board and the public to understand this issue.**

Construction Update, Generally – we will cover:

- I. Construction Budget
- II. Status of budget
- III. Timelines for completion
- IV. Significant events

Program Detention Modification Update – In January 2003, the decision was made to examine the current program space design at Wapato and modify to enhance flexibility of use including detention.

We will:

- I. Brief on design modifications
- II. Cost
- III. Impact to timelines

3. **Explain the fiscal impact (current year and ongoing).** Probable impact on facility construction budget – figure not known until April.

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

If a budget modification, explain: N/A

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

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain: N/A

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

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

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

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

Department/Agency Director: *Sheriff Bernie Giusto* **Date:** 03/01/03

BOGSTAD Deborah L

From: CHENG Ken D on behalf of CHAIR
Sent: Tuesday, April 08, 2003 1:50 PM
To: #ALL CHAIR'S OFFICE
Subject: FW: SARS Message for MCHD Staff
Importance: High

Apologies if you've already received.

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

From: SHIRLEY Lillian M
Sent: Monday, April 07, 2003 5:38 PM
To: #ALL HEALTH DEPT
Subject: SARS Message for MCHD Staff
Importance: High

Dr Gary Oxman and the CD Unit have prepared this briefing to update you about SARS (Severe Acute Respiratory Syndrome) and the Health Department's activities to respond to this global health problem.

Please feel free to distribute this information to other staff and community members. Contact the Health Department's Disease Control Office [(503) 988-3406] for any questions you have.

NOTE: MCHD providers have received information about the clinical aspects of SARS. Because SARS is associated with recent travel to Asia, we do **not** feel that most MCHD clients are at risk. However, staff who serve clients who 1) have traveled to Asia in the past 10 days, or 2) have close contact with others who have recently traveled to Asia should be alert for SARS.

Local Situation and Actions

As of April 7, the Health Department has received two reports of suspected SARS in Multnomah County residents. Our investigation of these cases suggests that they probably are **not** really SARS. People are labeled as having SARS based on their symptoms and their risk of exposure (through travel or contact with other people who might have SARS). As a result, some people are labeled as having SARS when they actually have other illnesses.

As part of our usual disease control activities, the Health Department has been working actively to detect and investigate any suspected cases, and to prevent transmission. Since the time we received the initial alert from the Centers for Disease Prevention and Control (CDC), we have been working closely with our partners to protect the community.

4/8/2003

- ***We are working with PDX Airport officials to identify and investigate any suspected cases arriving through the airport or other Port of Portland facilities.*** Portland International Airport has no direct flights from Asia, decreasing the likelihood that we will have a case on a flight landing at PDX. Nevertheless, airport staff are on alert for people passing through PDX who have received a CDC Health Alert Notice for SARS after landing at other international airports on flights from Asia.
- ***The Health Department has sent SARS alerts to all metro-area ambulance providers, fire departments, and hospital emergency departments.*** State health has also been actively alerting health care providers.
- ***Because there is no local transmission of SARS at this time, no restrictions on hospitals or hospital staff have been recommended.*** Standard hospital respiratory protection procedures are in place and are protective for SARS.

We will provide additional updates as the situation warrants.

Background - Severe Acute Respiratory Syndrome (SARS)

- SARS is a severe and apparently new illness featuring fever and respiratory symptoms (e.g. cough, difficulty breathing, or abnormal chest x-ray). It is most common in people living in parts of Asia and people exposed to a case.
- SARS is fatal in ~4% of reported cases.
- It was first recognized in Asia, impacting Guangdong Province & Hong Kong in China most heavily
- As of April 7, 2003:
 - Worldwide, 2,601 cases and 98 deaths have been reported since November 2002.
 - Local chains of transmission appear to exist in Canada, China, Hong Kong, Taiwan, Singapore, and Viet Nam.
 - Due to transmission among healthcare workers in Canada, hospitals in the Greater Toronto Area of Ontario were placed on elevated alert - including restrictions on non-essential health services and limiting visitors.
 - In the United States there have been 141 suspect cases and no deaths.
 - No local chains of transmission have been identified in the United States.
- The risk of SARS for people living outside of Asia is associated with recent travel to impacted areas, and recent close contact with someone who may have SARS

Perspective:

4/8/2003

It is important to maintain perspective. Millions of respiratory illnesses are caused by hundreds of different respiratory viruses each year. So the chances that any given patient with a respiratory illness has SARS are slim. While any deaths from SARS are tragic, it is also important to remember that there have been fewer than 100 deaths worldwide from this illness, while 20,000 people a year in the US alone die from influenza.

Prevention:

For Oregonians, the best way to prevent SARS at this point is to postpone travel to Mainland China *OR* Hong Kong *OR* Singapore *OR* Hanoi, Viet Nam until further notice. No other additional protective measures are recommended at this time.

Additional Resource:

CDC SARS Website - <http://www.cdc.gov/ncidod/sars/>

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: April 10, 2003

Agenda Item #: R-2

Est. Start Time: 9:45 AM

Date Submitted: 04/02/03

Requested Date: April 10, 2003

Time Requested: 5 mins

Department: Non-Departmental

Division: Commissioner District 2

Contact/s: Mary Carroll

Phone: 503 988-5219 **Ext.:** 85219

I/O Address: 503/600

Presenters: Commissioner Serena Cruz and Arwen Bird, Director of Survivors
Advocating for an Effective System

Agenda Title: PROCLAMATION Proclaiming the Week of April 14 through April 18, 2003 as
"OREGON RESTORATIVE JUSTICE WEEK" in Multnomah County, Oregon

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

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

Approval of Proclamation Proclaiming the Week of April 14 through April 18, 2003 as
"OREGON RESTORATIVE JUSTICE WEEK" in Multnomah County, Oregon.

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

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

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

If a budget modification, explain:

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

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain:

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

If grant application/notice of intent, explain:

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

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

Required Signatures:

Department/Agency Director: Serena Cruz Date: 04/02/03

Budget Analyst

By:

Date:

Dept/Countywide HR

By:

Date:

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

PROCLAMATION NO. _____

Proclaiming the Week of April 14 through April 18, 2003 as "OREGON RESTORATIVE JUSTICE WEEK" in Multnomah County, Oregon

The Multnomah County Board of County Commissioners Finds:

- a. Thousands of citizens of Multnomah County are affected by crime each year -- as victims, offenders or members of the community.
- b. The needs of crime survivors, communities and former offenders are too often overlooked by our system of justice in its efforts to apprehend, prosecute, and sanction criminal offenders.
- c. In our current criminal justice system, people of color are disproportionately represented among victims and offenders.
- d. Our criminal justice system must do more to improve restorative practices such as restitution, services for crime victims and crime prevention.

The Multnomah County Board of County Commissioners Proclaims:

The week of April 14 through April 18, 2003, is "OREGON RESTORATIVE JUSTICE WEEK" in Multnomah County, Oregon.

ADOPTED this 10th day of April, 2003.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane Linn, Chair



Empowering survivors of crime to advocate for restorative justice.

April 10, 2003

Testimony of Arwen Bird, Executive Director
Survivors Advocating For an Effective System

Good morning. I am here to testify in support of the proclamation you have before you, declaring next week "Oregon Restorative Justice Week". We believe that this resolution represents an important step forward for justice policy here in Multnomah County and throughout the state.

In our current system of retributive justice, the sole focus is on prosecuting, sentencing and punishing offenders. All that is offered crime survivors is the punishment of the offender. What gets lost in our current system is the recognition of the harm that was caused to the victim by the crime. Very little is done to facilitate the offender accepting responsibility for what they have done, who they have harmed, and how they will work to restore what has been taken.

Restorative Justice is an international movement that draws from grassroots, professional and government based organization. The basic tenet of this paradigm is shifting the focus of our justice system toward restoration for the principal stakeholders after crime—survivors, offenders and communities. Restorative justice focuses on the harm done to individuals and communities when crime happens. We believe that it is through addressing these critical components that true healing can happen.

Restorative Justice is already happening in the world, our state and county. As you may already know the county works to bring survivors and offenders together for victim-offender mediation sessions. On the state level, we are working with other advocates to create a state-sponsored system of victim-offender dialogue. These are just two examples of a promising shift in the way we enact justice.

As an organization of crime survivors, our perspective is victim-centered; that is to say, we are primarily focused on how to shift the justice system so that it ultimately works to end future victimization. By acknowledging restorative justice week, you are recognizing the hope and possibility in restorative justice. You are also recognizing that we can create a system that truly works to end future victimization.

Thank you.



Restorative Justice

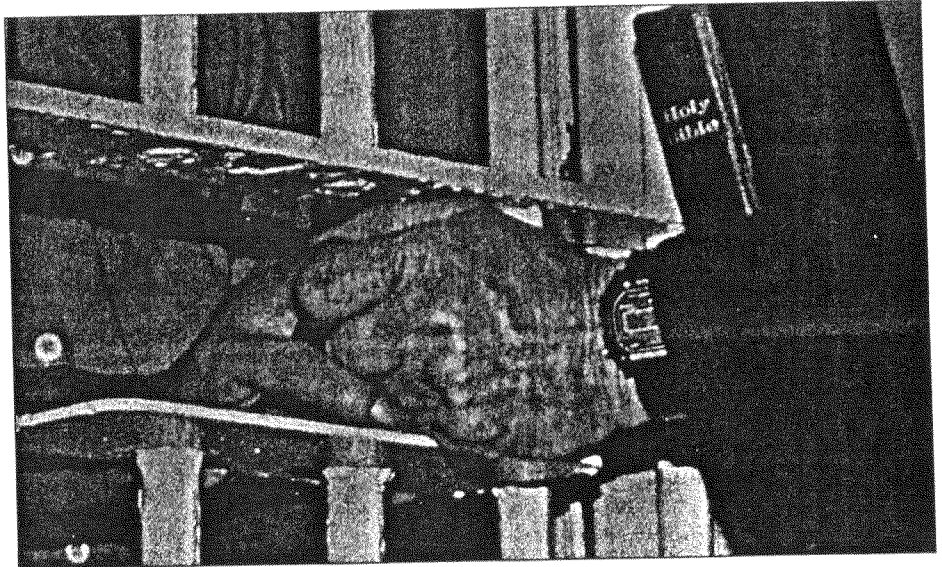
Part of the Army's vision is to help build a society that honors the dignity of every human being and recognizes the centrality of relationships that give meaning to our lives. The cycle of despair spurred by crime and fed by anger and fear can become a cycle of hope when we create processes in which every participant is valued and every voice—the victim, the community, the offender—is heard in its pain, anger, remorse, anguish or hope.

Changing Our Thinking

Offenders will frequently assert that they had no choice, they had to steal something because they needed it, or they had to hit someone because that person had angered them. Offenders often have difficulty identifying other behavioral options.

We as a society see only one choice in responding to crime: to become more punitive until we frighten people into behaving as we wish. But fear is not the most powerful motivator, and it is not the only choice we have for managing behavior.

We know from years of research that positive forces are more powerful motivators than negative forces, that relationships shape behavior more than fear. We have changed the way we raise



children and the way we run the workplace based on that research. It is time to apply that knowledge to the way we discipline community members who violate our rules.

We have also assumed that by punishing offenders we are satisfying the needs of victims. Yet research on victimization tells us that the primary needs of victims are not met by simply exacting revenge on the offender.

What is Restorative Justice?

Restorative justice emphasizes the ways in which crime harms relationships in the context of community.

Crime is viewed as a violation of the victim and the community, not a violation of the state. As a result, the offender becomes accountable to the victim and the community, not the state.

Restorative justice defines accountability for offenders in terms of taking responsibility for actions and taking appropriate steps to repair the harm caused to the victim and community.

Restorative justice provides for participation by the victim, the offender and the community in the process of repairing the fabric of community peace.

A recent editorial in the Minneapolis-St. Paul *Star Tribune* observed: "This

Restorative Justice in Practice

- Support and assistance are provided to victims and families of victims by community volunteers, faith communities and professional agencies.
- Restitution is given priority over other financial obligations of the offender.
- Victim/offender mediation is available for victims who wish to participate.
- The community provides work opportunities so offenders can pay restitution to victims.
- Offenders are engaged in community service projects valued by the community.
- Offenders face the personal dimension of the harm caused by their crime through victim/offender mediation, family group conferencing, sentencing circles, victim panels or community panels.
- If they wish, victims have the opportunity to help shape the obligations placed on the offender for repairing the harm.
- The courts and correction departments provide annual reports of measures related to reparation.
- Community members are involved in advisory boards which guide the courts and correction departments.
- Business and community organizations work with offenders to reintegrate them into the community as offenders fulfill their obligations.
- Faith communities sponsor support groups for offenders trying to change life patterns.
- Offenders leave the corrections system with greater anger management and behavioral skills than when they entered.
- Every criminal justice intervention leaves the community stronger than it was before the crime occurred.

vision of justice ... [is] about making things right instead of lamenting what is wrong, cultivating strength rather than perpetuating failure."

Community correction, which has been a component of corrections in many states, encompasses many of the restorative justice principles. Victim services, restitution, community service, face-to-face meetings between victims and offenders and their support systems, victim impact panels and skill-building classes for offenders are all elements of restorative justice.

A Restorative Justice Initiative

The restorative justice initiative promotes and supports the use of practices, policies and programs that repair the harm resulting from crime. The scope of this effort extends beyond the Department of Corrections to include local correction centers as well as community groups, policy makers, educators and law enforcement.

The Army is a key player in such community involvement around the country. Its programs not only promote reconciliation for those behind bars or re-entering society. The Army also intervenes on behalf of people at risk of pursuing a life of crime or those who have been adversely affected by criminality. For example, in Marshalltown, Iowa, the Army's program is also used to address juvenile crime and school misconduct. "Family group conferences" or "community conferences" confront children and adolescents with the consequences of their misbehavior and involve them in deciding how to repair the harm either in lieu of or in addition to disciplinary and judicial processes.

Expanded Role for Victims

Under restorative justice, crime victims are offered more opportunities to regain personal power.

Victims frequently feel left out of their own cases, except possibly as witnesses. Criminal justice expert Howard Zehr, one of the key developers of restorative justice, emphasizes that victims have many needs, including the chance to express their feelings, experience release and have the power re-

stored to them that has been taken away by the offender. Restorative justice allows for victim involvement in determining how those needs can be met.

Community Participation

The role of the community also changes dramatically under restorative justice. The entire community bears some responsibility for all its members, including the victim and the offender. The community is responsible for supporting and assisting victims, holding offenders accountable and ensuring opportunities for offenders to make amends. Communities are also responsible for addressing the underlying causes of crime to reduce victimization in the future.

The Offender's Role

Under the existing criminal justice system that concentrates on legal issues and the possibilities of avoiding punishment, offenders are not required to fully grasp the harm they have caused. Often they are not required to do anything to right the wrong committed.

Incarceration by itself may be considered a relatively easy sentence compared to the restorative justice approach that holds offenders directly accountable to victims, confronts them with the damage they have caused and requires that they make significant restitution to the victim and the community.

In the existing system, offenders have a passive role. In a restorative justice system, they become active participants in reparation.

—Excerpted from a presentation at National Headquarters by Major Melvin R. James, then Central territorial correctional services secretary

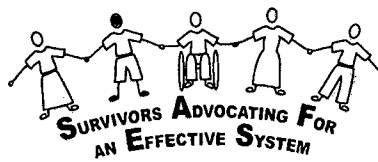
Study Identifies Rise in Incarceration Rates, Spending

WASHINGTON DC—The Criminal Justice Crisis Index, an annual study by the non-profit Christian public policy organization Justice Fellowship, reports all-time highs in the number of people in prisons, the national rates of incarceration and total and per capita spending on criminal justice.

The Index shows that America is now incarcerating one out of every 150 citizens, the highest rate in its history. This is 6 to 10 times the rate of most European countries. At this pace, the total number of people in federal and state prisons and local jails will soon reach or exceed two million by the new millennium, almost twice the number of a decade ago. In all, incarceration in 1998 cost taxpayers more than \$31 billion. The average state is spending slightly more than \$600 million to house their prisoners, most of whom are non-violent offenders.

Though recent reports have indicated declining crime rates, Justice Fellowship reports that these figures may simply reflect changing demographics. The most crime-prone citizens are those ages 18-40, a demographic group that has declined by seven percent since 1990. But as today's teens mature, a significant increase in the 18-40 age group is expected, and the coming generation is proving to be more prone to violence and other serious crimes than any before, according to Justice Fellowship. Nationally, the number of juvenile arrests for violent crimes is 49 percent higher than its level in 1988.

"The Index demonstrates that the system is failing because of our current overuse of prisons as punishment, our failure to address the needs of the victims and a total disregard for the rehabilitation of non-violent offenders who often become violent while incarcerated," says Justice Fellowship president Patrick Nolan.



Arwen Bird

Director

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S.A.F.E.S.

Survivors Advocating For an Effective System

"When I remember my grandmother my thoughts are for her alone. I do not want to taint her memory with the knowledge that another human being has been killed in the mistaken belief that I will feel better. Nothing will be served by her death."

- Robyn Hernandez

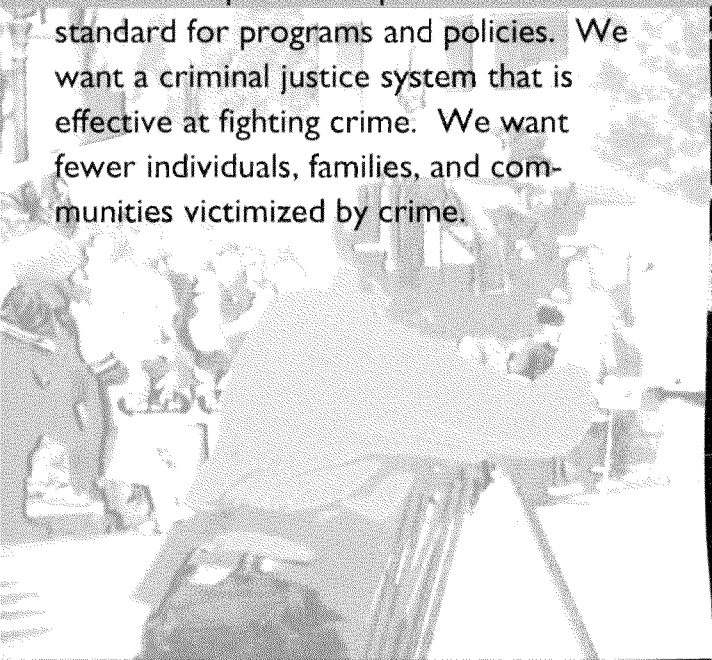
Justice, Not Revenge!





Survivors... We have experienced tragedy, but have not been broken by it. Survivors of crime live in homes, in prisons, on the streets, everywhere and at every level of society. As crime has become part of our life-experience, Crime Survivors and our communities have a stake in effective criminal justice.

An Effective System... uses what works- rather than political expedience- as the standard for programs and policies. We want a criminal justice system that is effective at fighting crime. We want fewer individuals, families, and communities victimized by crime.

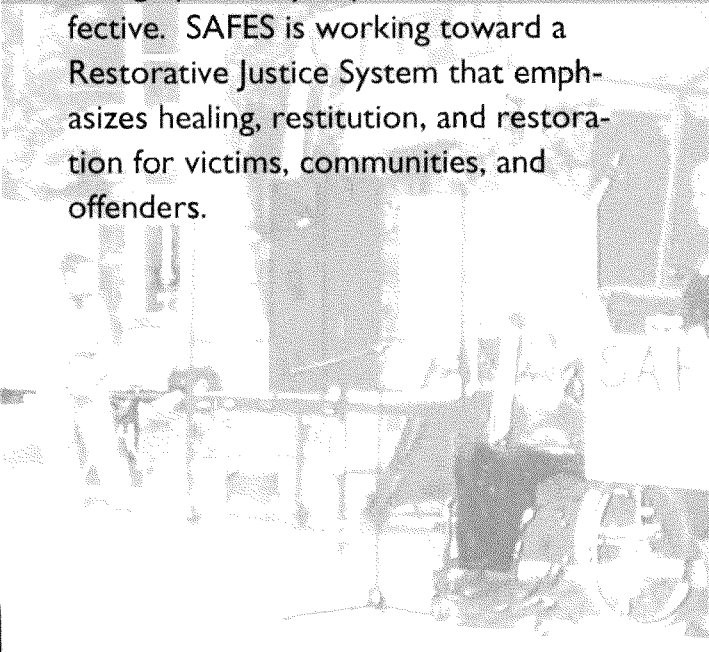


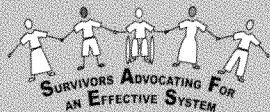
Justice, not revenge.



SAFES Members Kathleen Pequeno & Jeannie LaFrance

Our criminal justice system is driven by revenge and retribution. Such a system, though politically expedient, is not effective. SAFES is working toward a Restorative Justice System that emphasizes healing, restitution, and restoration for victims, communities, and offenders.





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Portland, OR 97242

www.crimesurvivors.org

Join Us!

Would you like to see a criminal
justice system that works?

Join Us!

Would you like to help end future
victimization?

Join Us!

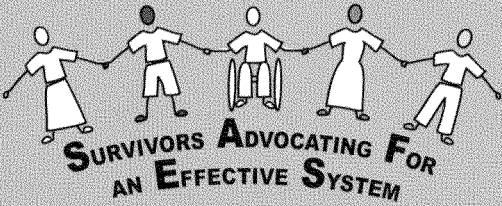
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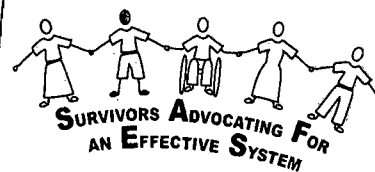
Crime and safety are major concerns for communities throughout the country. Elected officials from across the political spectrum are quick to convey their views on the issue. Beyond the short-term perspectives expressed to win elections, we deal with the effects of crime on a daily basis... for the rest of our lives.

Survivors Advocating For an Effective System empowers survivors to advocate for restorative solutions to crime. We want to know that our criminal justice system is doing everything it can to restore survivors and prevent future victimization.

We do not support mandatory sentences, the death penalty, or the current prison expansion as responses to crime. We see these as positions that serve "tough on crime" politicians, but do very little to actually help crime survivors heal. We embrace restitution, participation, and advocacy as effective components of a restorative system.

Those of us who have survived crime have a deeply personal connection to the issue. SAFES members are ordinary people, who after surviving extraordinary trauma decided to use their experiences for positive change.

Arwen Bird
Director



Arwen Bird
Director

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BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

PROCLAMATION NO. 03-049

Proclaiming the Week of April 14 through April 18, 2003 as "OREGON RESTORATIVE JUSTICE WEEK" in Multnomah County, Oregon

The Multnomah County Board of County Commissioners Finds:

- a. Thousands of citizens of Multnomah County are affected by crime each year -- as victims, offenders or members of the community.
- b. The needs of crime survivors, communities and former offenders are too often overlooked by our system of justice in its efforts to apprehend, prosecute, and sanction criminal offenders.
- c. In our current criminal justice system, people of color are disproportionately represented among victims and offenders.
- d. Our criminal justice system must do more to improve restorative practices such as restitution, services for crime victims and crime prevention.

The Multnomah County Board of County Commissioners Proclaims:

The week of April 14 through April 18, 2003, is "OREGON RESTORATIVE JUSTICE WEEK" in Multnomah County, Oregon.

ADOPTED this 10th day of April, 2003.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON



Diane Linh, Chair



AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: April 10, 2003

Agenda Item #: R-3

Est. Start Time: 9:50 AM

Date Submitted: 04/02/03

Requested Date: April 10, 2003

Time Requested: 10 - 15 minutes

Department: Non-Departmental

Division: Chair's Office

Contact/s: Andy Smith/Duke Shepard

Phone: 503-988-3308

Ext.: 85772/85137

I/O Address: 503/600

Presenters: Kirstin Greene, Cogan Owens Cogan; David Kim, Oregon Economic Community Development Department

Agenda Title: Resolution Approving Submittal of County Sponsored Projects for 2003 Needs and Issues Inventory Lists

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

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

Approving Resolution and submittal of list of projects for Needs and Issues Inventory to the Oregon Economic Community Development Department.

The Inventory will be used by many agencies in the state and federal government. OECDD will use the information to help them quantify and classify overall economic and community development needs by geographic region, to identify and understand the needs of the cities, Port, tribes, and counties, to develop strategic work plans especially focusing on distressed areas, to help guide funding decisions and set legislative priorities, and to provide a point of reference from which to engage communities in discussion about their economic and community development objectives.

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

The Oregon Economic and Community Development Department (OECDD) has for several years developed a Needs and Issues Inventory for the rural counties and rural portion of Washington County. This inventory is used to generate a "project pipeline" that will help state and federal agencies anticipate future funding needs, develop a prioritized list of project concepts (principally used by federal agencies), and to create a clearinghouse for accurate, timely community and economic development project concept information.

These locally and regionally prioritized projects are in three categories – Community Readiness (CR), Community Facilities (CF), and Infrastructure (IN).

See attached memo for process description, criteria and three lists.

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

Projects submitted have the potential to garner state and federal funding which could alleviate pressures on County general funds, and, in some cases further the County's goals for workforce development.

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

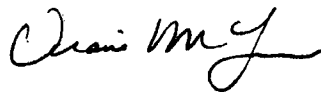
No legal issues. Policy issues involve identification of projects on "A List."

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

Project sponsors (cities, counties, port districts and tribes) and proponents (non-profits and special districts) submitted project information using the state's Needs and Issues project notification forms. Cogan Owens Cogan (COC) staff coordinated this process as the Regional Coordinating Organization.

Required Signatures:

Department/Agency Director:



Date: 04/02/03

Budget Analyst, By: Karyne Dargan

Date: 04/02/03

MEMORANDUM

DATE: March 31, 2003

TO: Duke Shepard, Multnomah County Chair's Office
Multnomah County Board of Commissioners

FROM: Kirstin Greene, AICP
Pam Pickens

RE: **Multnomah County 2003 Needs and Issues Priority Recommendations**

CC: Laila Cully, Oregon Economic and Community Development Department

This memo transmits recommended project priorities for the Multnomah County Needs and Issues notification process for 2003. The Needs and Issues process is conducted each year with support from the Oregon Economic and Community Development Department (OECDD). This year marks the first year in which an ordinal ranking is being forwarded for your approval.

These locally and regionally prioritized projects are in three categories - Community Readiness (CR), Community Facilities (CF), and Infrastructure (IN). The process for developing these regional, county-wide priorities follows.

- Project sponsors (cities, counties, port districts and tribes) and proponents (non-profits and special districts) submitted project information using the state's Needs and Issues project notification forms. Cogan Owens Cogan (COC) staff coordinated this process as the Regional Coordinating Organization.
- Sponsors identified local priorities and transmitted them in rank order to COC.
- COC staff used criteria and a process recommended in 2002 to develop a draft, regional county-wide prioritization list.
- Projects were first sorted by identifying the top priority project submitted by each participating sponsor. These "A-list" projects were considered the region's top priority projects - one per jurisdiction. They were placed in numerical order based on how well they appeared to meet regional economic and community development criteria. The criteria are listed in an attachment to this memo, and

include regional significance, support by more than one community, job creation, readiness to proceed, need, and high local priority.

- COC then reviewed the remaining projects for other submittals that met the regional criteria. The objective was to identify a limited number of quality projects in each category. For example, in the infrastructure category, there were three "A-list" infrastructure projects, to which we added another twenty projects that appeared to best meet the regional criteria listed above. These "B-list" projects were placed in numerical order following the "A-list" projects using the criteria.
- The remaining projects in each category are not ranked. Instead, they are each assigned the next highest priority ranking number for that category (i.e., in the infrastructure category, the "B-list" stopped at #23, so all remaining projects were assigned #24). This became the "C - list".
- A facilitated meeting was held with project sponsors to review these draft lists on March 4, 2003. Based upon the group's discussion, several adjustments were made. The participants also discussed the merits of the process and how to proceed with the program next year.
- COC staff revised the list of projects accordingly. This is the attached revised recommended regional priority list before you today.

With your approval the next step will be for OECDD to work to pair the "A and B list" projects with State and Federal Lead Agencies for implementation. The lead agency meeting date has not been set but is expected to occur in April or May. COC will support OECDD with this event. We also will assist with developing a transition strategy for next year's program. OECDD's objective is that the Needs and Issues inventory process be managed by a public body (e.g., Multnomah County, PDC, the Regional Investment Board, or Metro). We hope you will be a part of that dialog. Thank you.

**WASHINGTON AND MULTNOMAH COUNTY
NEEDS AND ISSUES INVENTORY
2003 Project Rating and Ranking Criteria**

1. A project is determined to be of *regional significance*:
 - A. The project will directly benefit more than one community; OR
 - B. The project operates at a regional scale; OR
 - C. The project beneficially affects the region as a whole; OR
 - D. The project contributes to the economic development of the region.
2. The project is supported by more than one community (evidence of support by letter or resolution from other communities).
3. The project will create or retain jobs in the region, or the project will improve distressed areas within the region.
4. The project is ready to proceed (local resources available, design engineering complete, etc.).
5. The sponsoring jurisdiction needs assistance from state and federal agencies to undertake the project.
6. Project is highest local priority project.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Approving Submittal of County Sponsored Projects for 2003 Needs and Issues Inventory

The Multnomah County Board of Commissioners Finds:

- a) The Oregon Economic and Community Development Department (OECDD) compiles a Needs and Issues Inventory (Inventory) on an annual basis.
- b) This is the second year in which OECDD has requested such a list from Multnomah County to include both urban and rural projects in the categories of infrastructure, community services, and community resources.
- c) Multnomah County, along with incorporated cities, tribes, and ports within the County are eligible to be sponsoring agencies for projects.
- d) Multnomah County is the designated sponsor for rural areas in the County and for projects spanning jurisdictions.
- e) The Inventory will be used by OECDD and other state and federal agencies to quantify and classify overall community and economic development needs, to guide funding decisions, and to identify lead agencies to work with communities on planning, technical assistance, and resources.
- f) The list of projects sponsored by Multnomah County includes identification of top priority projects within categories as required by federal agencies.
- g) Multnomah County, and particularly rural communities within the County, may benefit significantly from the attention generated by inclusion of projects in the Inventory.

The Multnomah County Board of Commissioners Resolves:

- 1. The attached 2003 Needs and Issues Inventory Local Priority Lists (Exhibits A, B, and C) dated March 27, 2003 are approved for submittal to OECDD.

ADOPTED this 10th day of April, 2003.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane Linn, Chair

REVIEWED:

THOMAS SPONSLER, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____

John/Thomas, Assistant County Attorney

Exhibit A**2003 Needs and Issues Inventory
Recommended Regional Priority List****County:** Multnomah**Date:** 3/27/03**Category (CR, CF, IN):** Community Facilities (CF)

List Category	County-wide Priority	Notification Number	Sponsor Project Title	Project Description	Total Project Cost	Need for Federal/ State Assistance
A	1	5025	City of Wood Village New City Hall and County Sheriff's Patrol Facility - Feasibility Study	Conduct a feasibility study that addresses the relocation of Wood Village City Hall and the Multnomah County Sheriff's patrol facility. The study will specifically address the needs of both organizations and their functional requirements. The possibility exists to co-locate both organizations on the same land in separate buildings, in the same building or facilities on separate pieces of land. Currently, discussion between the two organizations has not led to a specific course of action because the money does not exist to study the situation properly.	\$30,000	\$20,000
B	2	4959	City of Gresham Rockwood Commons and Public Safety Precinct	In December 2002, Fred Meyer announced the closure of its store in Rockwood. This store has been Rockwood's major retail anchor for many years, and its closing is both a tremendous challenge and an opportunity. In the months ahead, "Rockwood Commons" will likely morph to address the greater redevelopment opportunities afforded by this closure. Appropriate redevelopment of this site is one of the most important things that can be done to stimulate and anchor Rockwood revitalization efforts. The redevelopment of the Rockwood Triangle, especially the Fred Meyer site, is likely to be a top priority of Rockwood Urban Renewal if approved by the voters.	\$20,676,104	\$5,118,871

Exhibit A

List Category	County-wide Priority	Notification Number	Sponsor Project Title	Project Description	Total Project Cost	Need for Federal/ State Assistance
B	3	4962	City of Gresham Gresham/Rockwood Residential Rehabilitation and Homeownership	There are three elements to this project: Development of a program to provide loans for rental rehabilitation assistance to private rental property owners, provision of funds for acquisition and rehab of selected "problem" apartments where a change in ownership is the most effective means to effect change, and the development of new tools to assist first-time homebuyers.	\$17,175,000	\$12,015,000
B	4	4964	City of Gresham Rockwood Community Business Development Center	The Oregon Association of Minority Entrepreneurs (OAME), the City of Gresham, and the Fred Meyer Stores, a working partnership, propose to utilize a complimentary package of resources for community and economic development. OAME, as lead organization, to establish a community business incubator that will assist in creating business growth and development to create wealth, ownership, and jobs in the minority, women, and emerging small business sectors of the Rockwood area of Gresham, Oregon. OAME's proposal to establish an approximately 9,000 square foot incubator in the Rockwood area that responds to this community in transition.	\$245,000	\$238,000
B	5	4999	Multnomah County Yeon Shops Facility Structural Study	The current Request is to fund a review of the 1997 structural report, site conditions, and current codes, to produce a comprehensive Study of remediation work to stabilize and strengthen the building, including current cost estimates and biddable Construction Documents. Also included will be a brief interagency-use feasibility study to help define possibilities for alternative or additional uses in the future through potential partnerships with the City of Gresham and/or ODOT.	\$350,000	\$350,000
B	6	4975	Port of Portland Environmental Improvements (Various Port-owned Properties)	Revegetate and reshape the banks of the Willamette River and the Columbia Slough on Port-owned properties. Restore and upgrade historic building at Vanport Wetlands for an interpretive center.	\$10,000,000	\$10,000,000

Exhibit A

List Category	County-wide Priority	Notification Number	Sponsor/ Project Title	Project Description	Total Project Cost	Need for Federal/ State Assistance
B	7	5024	City of Troutdale Troutdale City Hall	Construct new City Hall community building.	\$5,000,000	\$4,000,000
B	8	6066	Port of Portland Kelly Point Park Access Trail	Construct approximately 1,600 linear feet of a multiuse path to connect the 40-mile Loop trail on N. Marine Drive with Kelly Point Park.	\$340,000	\$140,000
B	9	5010	City of Portland Kelly Point Park Master Plan & Renovation	Develop and implement a Master Plan that addresses the following park needs: complete trail system (including beach access), Lewis & Clark interpretation, riverbank stabilization and restoration, nearby canoe launch to the Slough, increased forest understory diversity, parking lot and driveway repair, access control (bollard replacement), improved security and additional group picnic areas. Also suggested are an observation tower with history of water travel and trade (requested by the Port of Portland), and a caretaker residence or parking attendant for security issues.	\$1,688,000	\$1,588,000
B	10	4971	Port of Portland Marine Terminal 6 Security Upgrade	Two projects are envisioned. The first is re-alignment of the main gate to better control entry and exit. This re-alignment would facilitate electronic security processing of trucks and visitors. The second project involves the improvement of the perimeter of the facility, including fencing improvements, installation of security berms, gate improvements, and the installation of a closed-circuit television monitoring system.	\$3,000,000	\$3,000,000
B	11	5019	City of Portland Eastbank Esplanade Phase III	Construct a locally and regionally significant improvement including a bicycle/pedestrian trail for commuting and recreation and riverbank restoration to assist salmon recovery efforts on a 5-acre parcel of riverfront property on the Willamette River directly across the waterway from downtown Portland.	\$13,010,000	\$11,510,000

Exhibit A

List Category	County-wide Priority	Notification Number	Sponsor Project Title	Project Description	Total Project Cost	Need for Federal/ State Assistance
B	12	5011	City of Portland Westmoreland Park Master Plan & Redevelopment	Although this project is nearly complete, additional funding is needed to construct public access such as trails and overlooks. Master plan will be completed by July, 2003. Final design for the stream will occur in '03-'04. Construction will follow from '03-'05. The city currently is looking for \$300,000 to complete the stream restoration and provide boardwalks and viewpoints.	\$1,994,950	\$300,000
B	13	5009	City of Portland Forest Park Entrance at US30 and Yeon Street	Continue to implement the recommendations of the Forest Park Natural Resource Management Plan by developing additional access points in to Forest Park to relieve pressure on existing entries located in residential areas. Plan recommendations also include development of a new, major entrance for Forest Park near St. Helens Highway and NW Yeon, which is located on a public transit route. Entrance facilities will be developed on land purchased by Metro for this purpose and on adjacent property acquired as part of this project. The Plan adopted by the City in 1994 includes additional land acquisition, parking lot, restroom and interpretive facilities, and two connecting trails into Forest Park.	\$2,453,900	\$2,438,900

Exhibit A

List Category	County-wide Priority	Notification Number	Sponsor/ Project Title	Project Description	Total Project Cost	Need for Federal/ State Assistance
B	14	5008	City of Portland Springwater Corridor— Sellwood Gap	This is a green ribbon site proposed by Metro. Funding has been secured for the “three bridge” portion of the 1.2-mile gap between the existing Springwater Corridor trail and the forthcoming OMSI-to-Springwater, which will end near the Sellwood Bridge. This leaves a gap from the west side of SE 17 th Avenue (which will be crossed with aid of traffic signal) to the Sellwood bridge area. Acquisition of property and any rail-with-trail rights on SE Grand and SE Ochoco is needed. Existing railroad tracks and utility poles may need relocation. The Portland Office of Transportation also will require a number of intersection improvements and sidewalk connections. Completing the trail with 12-14 wide a.c. and signage, fence, and retaining walls will mean that the Springwater Corridor finally extends over 19 miles from its historic origination point south of OMSI to Rugg Road without bypasses.	\$5,837,600	\$5,717,600
B	15	6065	Port of Portland Old Marine Drive Trail & Habitat Restoration	Resurfacing approximately 1,700 linear feet of the 40-Mile Loop multiuse path and removal of approximately 26,000 sq. ft. of impervious surface (a portion of the old Marine Drive road surface). Restoration and enhancement of approximately 2.5 acres of forested habitat where roadway is removed and on the west slope of the trail, expansion of the cottonwood forest in the triangle area by 0.72 acres and the creation of approximately 0.8 acre of new riparian buffer on the east side of the trail and the triangle area.	\$510,000	\$510,000
<i>The following projects are considered to be of equal weight at this time. They are listed alphabetically by sponsor name.</i>						
C	16	5001	Multnomah County Yeon Shops Facility Structural Remediation (move to C)	The current request is to fund construction of the structural remediation to stabilize and strengthen the building, as recommended in the 1997 Report. This work is considered to be a Phase II of the complete solution.	\$5,800,000	\$5,800,000

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* - Projects listed within A, B and C categories are considered of relatively equal weight.

Exhibit B

2003 Needs and Issues Inventory Recommended Regional Priority List

County: Multnomah**Date:** 3/27/03
Category (CR, CF, IN): Community Readiness (CR)

List Category	County-wide Priority	Notification Number	Sponsor Project Title	Project Description	Total Project Cost	Need for Federal/State Assistance
A	1	6067	City of Gresham Springwater Concept Plan	Springwater (Phase 1) is 1,275 acres next to southeast Gresham, from the City border south to the County line. This provides industrial lands on both sides of US26, between Persimmon and 282nd Avenue with 1,000 total acres of industry and about 300 acres for housing to the west along Hogan Rd. This is one of the region's rare industrial sites on a major highway. Gresham has the facilities in place to serve this area immediately. Springwater is both a new community and a new center. Gresham's goal is to make Springwater's more than 1,400 acres "shovel ready" for initial development by the end of 2004. This will require a cooperative and aggressive public and private effort with Gresham's local, regional, state, and federal partners. Timely infrastructure and planning resources are essential for Springwater's early success. A three-step master plan approach will assure that Springwater will be "shovel ready" in time to capture the next business expansion cycle.	\$1,145,000	\$725,000
A	2	5023	City of Troutdale Oregon Science and Technology Park Feasibility Study - Phase II	Complete second phase of feasibility study; further address planning, design and economic issues. The first phase will be completed through funding by the State Strategic Reserve program. NOTE: Cities of Gresham and Wood Village sent letters of support for this project.	\$500,000	\$450,000\$
A	3	4984	City of Fairview Townsend Business Park Area Readiness	Hire consulting assistance to develop a strategic and substantial marketing and development plan for the business park area.	\$50,000	\$50,000

* - Projects listed within A, B and C categories are considered of relatively equal weight.

Exhibit B

List Category	County-wide Priority	Notification Number	Sponsor Project Title	Project Description	Total Project Cost	Need for Federal/State Assistance
B	4	5031	City of Wood Village NE Halsey Street Master Plan	The City of Wood Village will solicit bids from appropriate consulting firms to develop a comprehensive master plan for NE Halsey Street. The study will focus on making Halsey Street an appealing location for commercial, economic and residential development.	\$25,000	\$20,000
B	5	6091	City of Gresham Mixed Use Centers Development Strategy	Metro in conjunction with local governments, state agencies and private developers, including those with expertise in retail and office development, will identify barriers and opportunities and develop a strategy to reduce barriers to development, build on opportunities, provide incentives for development in Centers and limit retail and other employment outside of Centers. This project will also provide technical assistance to local governments in such areas as transportation, green space and open space planning.	\$280,000	\$280,000
B	6	4995	Multnomah County Sauvie Island Economic Study	Conduct an economic impact and alternatives study of the bridge impact on Sauvie Island. This will include: an inventory of island commercial activities; an analysis of weight restrictions on bridge and the effect on commerce; and an analysis of the impacts of alternatives including options identified in the engineering study due in February, 2002 and other transportation options. It is expected that structured interviews will be used to conduct the study.	\$25,000	\$22,000
B	7	6068	Multnomah County Mixed Use Centers Development Strategy	Metro in conjunction with local governments, state agencies and private developers, including those with expertise in retail and office development, will identify barriers and opportunities and develop a strategy to reduce barriers to development, build on opportunities, provide incentives for development in Centers and limit retail and other employment outside of Centers. This project will also provide technical assistance to local governments in such areas as transportation, green space and open space planning.	\$880,000	\$880,000

* - Projects listed within A, B and C categories are considered of relatively equal weight.

Exhibit B

List Category	County-wide Priority	Notification Number	Sponsor Project Title	Project Description	Total Project Cost	Need for Federal/State Assistance
B	8	4994	Multnomah County Rural Fire Protection District Upgrade	To provide for the most up to date training by bringing in experts, to teach and train, each fire protection district. In addition to also send the applicable fire fighters to the appropriate schools to become trainers, so that they can then conduct the training "in-house".	\$25,000	\$25,000
B	9	4987	Multnomah County Consolidated Neighborhood Planning and Preparedness, Disaster Response	To keep implementing a basic-core course, and to develop and deliver a advance course.	\$30,000	\$30,000
B	10	6073	Multnomah County District Operations, Watershed and Conservation Planning Administrative Support (West)	To provide administrative and technical support to all District operations. Funds will be used to support projects in the watersheds within the District in order to protect water quality, stream health, and subsequest re-establishment of salmon and trout in stream designated as "priority in the District's workplan and business plan. Funds will be used help landowners develop conservation plans and obtain available funding sources for on-the-ground projects during FY03,04 and 05.currently at their highest in the last 15 years.	\$60,000	\$42,550
B	11	6063	Multnomah County District Operations and Program Support (East)	Request for assistance to: a) maintain the current level of administrative support for existing District programs that provide education and technical assistance to landowners and partner organizations; b) carry out legally required District operations; c) support the District's volunteer board of locally elected officials; d) develop and implement an effective fundraising strategy; and e) increase the District's capacity to carry out its work. We anticipate that this will be a multi-year project.	\$92,000	\$60,000

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Exhibit B

List Category	County-wide Priority	Notification Number	Sponsor Project Title	Project Description	Total Project Cost	Need for Federal/State Assistance
<i>The following projects are considered to be of equal weight at this time. They are listed alphabetically by sponsor name.</i>						
C	12	4991	Multnomah County Emergency Alert Radios, Sauvie Island	Currently there is a device that provides weather storm warning and advisories, as well as hazardous material accident alerts. These devices, commonly referred to as weather radios are powered by a conventional electrical outlet, however they also have a battery back-up in case of a power outage. It is proposed that one of these radios be placed in each residential dwelling unit, as well as areas of public gathering (e.g. schools, markets, etc.).	\$12,000	\$7,000

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Exhibit C

2003 Needs and Issues Inventory Recommended Regional Priority List

County: Multnomah**Date:** 3/27/03**Category (CR, CF, IN):** Infrastructure (IN)

List Category	County-wide Priority	Notification Number	Sponsor Project Title	Project Description	Total Project Cost	Need for Federal/State Assistance
A	1	4977	Port of Portland Columbia River Channel Deepening	Deepen the Columbia River navigation channel to 43' CRD from Astoria to Terminal 6 in north Portland.	\$188,000,000	\$188,000,000
A	2	6060	City of Portland Portland 5th and 6th Avenues Transit Mall Project	Develop a comprehensive set of street improvements that will complement the light rail investment to support economic development and attract active street level businesses along the Portland Mall. The project will include a block-by-block assessment to identify improvements to the public space and private space to revitalize 5 th and 6 th Avenues for businesses and to restore the Transit Mall as the centerpiece of the regional transit system.	\$150,000,000	\$90,000,000
A	3	5000	Multnomah County Sauvie Island Bridge Repair/Replacement Study	Project will assess bridge condition, suggest remedies for either repairing or replacing the bridge, including all environmental work (NEPA process)	\$3,000,000	\$3,000,000
B	4	5014	City of Portland Sanitary Sewer Extension Program	Building sanitary sewers to the property line of approximately 1200 properties (1100 residential and 100 large commercial) scattered throughout the City. Projects, if fully funded, will occur over the next five-six years. However, significant segments can be completed in the next several months and next fiscal year if funds are made available.	\$9,626,920	\$4,016,920

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Exhibit C

List Category	Priority	Notification Number	Sponsor/ Project Title	Project Description	Total Project Cost	Need for Federal/State Assistance
B	5	6062	City of Portland Macadam Avenue Improvements	Macadam/Bancroft/Hood: Install concrete barrier to north 1200' along Hood; restripe Hood/Macadam for two lanes at signal (one right turn to northbound Macadam, one through lane eastbound to Bancroft); restripe Macadam one block south of intersection for dedicated receiving lane for left turns (Bancroft to southbound Macadam); enlarge island on west side of the intersection and provide additional plantings. Macadam/Curry: Signalize Macadam/Curry with a three phase signal controlling northbound Macadam, westbound Curry, and an extended I-5 off ramp; extend I-5 off ramp lane north 950 feet to Curry and provide a concrete barrier separating off-ramp from Macadam to prevent early merging and weaving.	\$2,350,000	\$1,750,000
B	6	4963	City of Gresham Sandy Boulevard, 164 th Avenue to 207 th Avenue	Complete arterial improvements to provide four through lanes, curb, gutter, sidewalks, bicycle lanes, and turn lanes.	\$3,861,329	\$3,089,063
B	7	4967	Port of Portland Ramsey Rail Complex	Construct six tracks and one main track and lead into the complex. Project would add 46,000 linear feet of rail storage separate from the mainline tracks.	\$12,000,000	\$9,800,000
B	8	4965	Port of Portland Terminal 6 Cranes	Add two post panamax cranes at Terminal 6, including dock and electrical improvements, as well as ancillary equipment.	\$25,000,000	\$25,000,000
B	9	4990	Multnomah County Culvert Replacement for Fish Passage	The County has inventoried, identified and set priorities of culverts critical to fish passage, especially for species on the endangered species list. The County is seeking the necessary resources to begin replacing high priority culverts.	\$19,026,000	\$17,123,400
B	10	5004	City of Portland Portland Streetcar Extension	Design and construction of an extension of Streetcar service from the current terminus at Portland State University, including a new surface road to extend SW Harrison Street, to RiverPlace.	\$18,200,000	\$1,250,000

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Exhibit C

List Category	Priority	Notification Number	Sponsor/ Project Title	Project Description	Total Project Cost	Need for Federal/State Assistance
B	11	5002	City of Portland SW Bond Avenue, Bancroft to Gibbs	SW Bond Avenue will be improved between SW Bancroft & SW Gibbs, including improved street connections to SW Macadam Avenue on SW Bancroft and SW Curry. Along with the street improvement, utility infrastructure (storm and sanitary sewer, water, power, gas and telecom) will be constructed to serve future development in the district.	\$6,300,000	\$4,200,000
B	12	6072	City of Portland Portland Streetcar—Gibbs Extension	Design and construction of an extension of Streetcar service from the RiverPlace terminus to SW Moody and Gibbs.	\$17,000,000	\$14,500,000
B	13	5016	City of Portland North Macadam Aerial Tramway Design and Construction	Design and construction of an aerial tramway—an energy efficient alternative transportation project—to connect Oregon Health & Science University's (OHSU) Marquam Hill campus with planned campus expansion within the North Macadam Urban Renewal District and spur District redevelopment.	\$16,110,000	\$7,000,000
B	14	4974	Port of Portland Columbia Boulevard Ramps on I-5	Various improvements to improve freight mobility on I-5 between Lombard and the I-5 Bridge including north bound ramps at Columbia Boulevard.	\$70,000,000	\$70,000,000
B	15	4972	Port of Portland Lombard St. Widening in Rivergate Industrial District	Project will widen N. Lombard from 600 feet south of N. Rivergate Blvd. to the Columbia Slough. Add a signal at Ramsey St.	\$3,610,000	\$3,610,000
B	16	6071	City of Portland New Macadam Venture Center	In an early conceptual stage of planning, the New Macadam Venture Center is envisioned as a 350,000 sf science center with a combination of wet laboratory, instructional, research and office space. It will bring together business and educational users to encourage collaboration and technology transfer.	\$17,500,000	\$8,750,000

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Exhibit C

List Category	Priority	Notification Number	Sponsor/ Project Title	Project Description	Total Project Cost	Need for Federal/State Assistance
B	17	5012	City of Portland Johnson Creek/Lents Flood Mitigation	Johnson Creek Watershed drains about 52 square miles and crosses six jurisdictions (cities of Gresham, Portland, Happy Valley, and Milwaukie and the counties of Multnomah and Clackamas). The Johnson Creek/Lents Flood Mitigation Project involves various segments of Johnson Creek and provides for stabilization of creek banks through revegetation, creation of wetland areas and flood storage, and acquisition of property through Portland's Willing Seller Program.	\$59,140,807	\$36,030,807
B	18	5003	City of Portland Burnside Redevelopment	The project will construct streetscape and transportation improvements identified in the Burnside Transportation and Urban Design Plan. The project also will rebuild road sections that are in significant need of reconstruction.	\$57,000,000	\$51,200,000
B	19	4982	Port of Portland Air Cargo Access Improvements	Provide channelization and signalization at the following three intersections: Alderwood/Cornfoot, Cornfoot/Airtrans Way, and Alderwood/Columbia. Widen and channelize 47th Avenue at its intersections with Cornfoot Road and Columbia Blvd. Signalize NB and SB ramps at 82nd Ave. and Columbia. Widen Columbia Blvd. to five lanes from NE 82nd Ave. to NE 60th Ave.	\$21,230,000	\$18,500,000
B	20	6059	City of Portland Gateway/102 nd	The proposal for NE 102nd is to transform this street into a pedestrian oriented urban boulevard. Due to the proximity of two light rail stops (Gateway Transit Center and 102nd/E Burnside) and substantial bus service along 102nd, the ability to provide wider sidewalks (12'), improved crossings (refuges), and transit stop amenities is critical to the success of the project. As the primary north/south connection through Gateway, new bike lanes will link the Regional Center to the surrounding neighborhoods. An urban landscape, including a planted median, planting strips, relocated utilities, street lights and stormwater infiltration facilities will reshape the street's image and encourage appropriate development.	\$20,470,000	\$16,163,000

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Exhibit C

List Category	Priority	Notification Number	Sponsor/ Project Title	Project Description	Total Project Cost	Need for Federal/State Assistance
B	21	5027	City of Wood Village New City Well	Dig a new well to provide the citizens of Wood Village with water and provide for future growth of the city.	\$525,000	\$525,000
B	22	6069	City of Portland Sustainable Commercial Street: HOPE VI Project	Work with the appropriate regulatory agencies to gain approval to use pervious concrete pavers within the parking areas of the proposed transit street. The use of pavers would reduce the amount of impervious street surface in this area by 38%. This project facilitates the replacement of the existing 462-unit public housing development with an 850-unit mixed income complex and a small commercial area.	\$150,000	\$150,000
B	23	6081	City of Portland North Lombard Street Pavement Improvement	Reconstruct North Lombard Street from Rivergate Blvd. To Marine Drive to improve pavement life and provide for bicycle and pedestrian facilities.	\$1,395,532	\$1,395,532
<i>The following projects are considered to be of equal weight at this time. They are listed alphabetically by sponsor name.</i>						
C	24	4985	City of Fairview Townsend Business Park Area Infrastructure	Construct needed improvements in the Townsend Business Park area.	\$3,000,000	\$1,000,000
C	24	6090	City of Gresham Stark Street (190 th to 197 th Avenue)	The project will construct boulevard improvements from 190th Avenue to 197th Avenue, which includes mitigating the dangerous mega-intersection of Stark Street, Burnside Street, 190th Avenue and light rail in the heart of the Rockwood town center.	\$2,600,000	\$1,800,000
C	24	5005	City of Portland Midtown Blocks	The project will design and construct street improvements in the downtown blocks between Burnside and Salmon on 9th and Park. Street improvements will be coordinated with the design and construction of a plaza at South Park Block Five and renovation of O'Bryant Square and Ankeny Park.	\$9,000,000	\$5,000,000
C	24	5006	City of Portland NE Martin Luther King Jr. Blvd: NE Lombard to NE Dekum St.	Construct new sidewalks, street lights and trees consistent with the Martin Luther King Jr. Blvd street plan. Several other sections of the street have been improved using urban renewal funds. This section is out of the urban renewal district.	\$1,468,400	\$1,468,400

* - Projects listed within A, B and C categories are considered of relatively equal weight.

Exhibit C

List Category	Priority	Notification Number	Sponsor/ Project Title	Project Description	Total Project Cost	Need for Federal/State Assistance
C	24	6061	City of Portland Portland Streetcar—Eastside Extension	Design and construction of an extension of Streetcar service across the Broadway Bridge, along a NE Broadway and Weidler couplet and then on NE 7th Avenue to Lloyd Boulevard.	\$37,500,000	\$37,323,000
C	24	5030	City of Wood Village Safety Improvements for NE 238 th Drive	Install a flashing warning light and informational advisory traffic sign on NE 238 th Drive.	\$10,000	\$9,000
C	24	5026	City of Wood Village New City Water Reservoir	Development and construction of a new, one million-gallon reservoir.	\$1,525,000	\$1,500,000
C	24	6064	Multnomah County Highway 30-Mill Road to Burlington (Water Line)	Replace the old water line with 10-inch ductile iron pipe.	\$1,030,000	\$1,010,000
C	24	4980	Port of Portland Columbia Boulevard & Lombard Street Improvements at MLK	Improve the geometry of the intersection to increase safety and reduce delays. Also reconfigure intersection for better connectivity between Columbia and Lombard.	\$680,000	\$680,000
C	24	4983	Port of Portland 11 th /13 th Avenue Rail Overcrossing	Construct a new, three-lane roadway connecting Lombard and Columbia to include a rail overpass.	\$8,100,000	\$8,100,000
C	24	4966	Port of Portland Rivergate ITS (Intelligent Transportation System)	Installation of cameras, as well as IT hardware and software.	\$770,000	\$770,000
C	24	4970	Port of Portland N. Going Street Overcrossing Upgrade	Reinforce the overcrossing supports to meet seismic standards.	\$770,000	\$770,000
C	24	4973	Port of Portland Leadbetter Street Extension	Build approximately 1,900 linear feet of two-lane street with sidewalks on either side, as well as other improvements such as curb, gutter and street trees. Utilities already have been installed within the right-of-way and a traffic signal will be installed at the intersection of Leadbetter Street and Marine Drive, as part of another project.	\$880,000	\$880,000
C	24	4976	Port of Portland Columbia River Rail Bridge Capacity Improvements	Determine options to improve bridge capacity, and implement the recommended solutions.	\$150,000,000	\$150,000,000

* - Projects listed within A, B and C categories are considered of relatively equal weight.

Exhibit C

List Category	Priority	Notification Number	Sponsor/ Project Title	Project Description	Total Project Cost	Need for Federal/State Assistance
C	24	4979	Port of Portland Columbia Boulevard Traffic Management	Install signal coordination, closed circuit TV cameras and variable messaging signs.	\$800,000	\$800,000

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* - Projects listed within A, B and C categories are considered of relatively equal weight.

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: April 10, 2003

Agenda Item #: R-4

Est. Start Time: 10:05 AM

Date Submitted: 03/31/03

Requested Date: April 10, 2003 **Time Requested:** 5 minutes
Department: Non-Departmental **Division:** Commissioner District 4
Contact/s: Bob Paine and Dan Brown, P.E., Roadway Engineering Services Manager
Phone: 503 088-5213/503-988-5050 **Ext.:** 85213/29633 **I/O Address:** 503/600
Presenters: Commissioner Lonnie Roberts and Patrick Hinds, Engineering Tech 3

Agenda Title: Vacation of a Portion of S.E. Kane Drive

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

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

The Land Use and Transportation Program has received a citizen initiated petition requesting the vacation of a portion of S.E. Kane Drive, County Road No. 608.

The Land Use and Transportation Program recommends approval of the Resolution.

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

The portion of S.E. Kane Drive, County Road No. 608, being considered for vacation, is situated in the N.E. One-quarter of Section 14 and the S.E. One-quarter of Section 11, Township 1 South, Range 3 East, W.M. This portion of S.E. Kane Drive was established as a County Road in 1894 as the result of a petition filed with the Board of County Commissioners by local citizens. This portion of S.E. Kane Drive was originally known

as S.E. Palmquist Road. After the passage of a street name changing ordinance, by the City of Gresham on May 21, 1969, this road became known as S.E. Kane Drive.

The portion of S.E. Kane Drive to be vacated is described in Exhibit A of the petition.

In 1976, the Transportation Division of Multnomah County improved this section of S.E. Kane Drive. The improvements consisted of widening and slightly relocating the traveled path. This relocation shifted traffic away from the portion of S.E. Kane Drive being considered for vacation.

Currently, a private development project is under construction adjacent to this unused portion of S.E. Kane Drive. This private development will construct approximately 875 feet of frontage improvements along S.E. Kane Drive. The owners of this private development are the petitioners for this vacation request.

Subsequent to the above referenced private development project, the Land Use and Transportation Program of Multnomah County will be constructing a Capital Improvement Project in Fiscal Year 2003 that will further widen and realign this portion of S.E. Kane Drive. The area being considered for vacation is not necessary for this Capital Improvement Project.

A 5.00 foot-wide sidewalk, slope, utility, landscape, drainage, and traffic control device easement will be reserved for Multnomah County, abutting the East right-of-way, overlaying a portion of the area being considered for vacation.

The County Engineer recommends the street vacation as being in the best interest of the public.

The vacated portion will vest in the name of the rightful owner holding title, as requested in the petition. The area to be vacated lies entirely on the northerly and easterly side of the legal centerline of S.E. Kane Drive, County Road No. 608. The street vacation petition being considered today contains the acknowledgement and consent of 100% of the abutting and adjoining property owners, as defined by ORS 368.336. The abutting and adjoining property owners also consent to the proposed vacated portions being distributed as described in the petition.

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

None. The portion of S.E. Kane Drive being considered for vacation is not maintained by Multnomah County. No public money is spent on this section of roadway.

All costs associated with this vacation request are the responsibility of the petitioners.

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

If a budget modification, explain: N/A

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

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain: N/A

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

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

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

4. Explain any legal and/or policy issues.

This proposed street vacation was initiated by a petition containing signatures of 100 percent of both the abutting, adjoining and underlying property owners. Pursuant to ORS 368.351, a citizen initiated vacation, by petition, is more streamlined because there is no requirement for notice by publication and full public hearing if the proposed vacation is supported by 100 percent of the affected property owners.

The Agenda Placement Request constitutes the County Engineer's written report, as required by ORS 368.351 (1), declaring the vacation of this portion of S.E. Kane Drive to be in the public interest.

The proposed street vacation is consistent with community involvement, development and intergovernmental cooperation.

The area requested for vacation in the petition and consented to by the City covers an additional small area that will ultimately be vacated by the County after completion of the above mentioned road project and the establishment of the realigned S.E. Kane, pursuant to ORS 368.126. This proposed street vacation accomplishes the vacation of only the area described in the Exhibit A of the petition.

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

This is a citizen initiated petition.

As required by ORS 368.361(3), the County may vacate property that is under the jurisdiction of the County and that is entirely within the limits of a city, if that city, by resolution or order, concurs in the findings of the County governing body.

The portion of S.E. Kane Drive being considered for vacation is entirely within the limits of the City of Gresham and that City, by Resolution No. 2576 passed on October 15, 2002, supports the proposed vacation. A copy of the Resolution No. 2576 is attached to the petition as Exhibit B.

Required Signatures:

Department/Agency Director: Lonnie Roberts Date: 03/31/03
M. Cecilia Johnson Date: 03/26/03

Budget Analyst

By: _____ Date: _____

Dept/Countywide HR

By: _____ Date: _____

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Vacating a Portion of SE Kane Drive, County Road No. 608, Pursuant to ORS Chapter 368

The Multnomah County Board of Commissioners Finds:

- a. Citizens initiated this proposed vacation of a portion of SE Kane Drive (also known as SE 257th), a county road, (hereinafter referred to as "SE Kane"), in the City of Gresham, by petition authorized under ORS 368.341. A copy of the petition is attached identified as Exhibit C.
- b. The proposed vacation by this Resolution is a small portion of the right of way first established as County Road No. 608 in 1894, more particularly described in the attached Exhibit A.
- c. In 1976, Multnomah County Transportation improved SE Kane in the general area of this proposed vacation, which resulted in moving traffic away from the above-described area.
- d. In fiscal year 2003-2004, the County's Land Use and Transportation Program ("County Transportation") is scheduled to begin the construction of a Capital Improvement Project, which upon completion will realign the road yet again and route traffic further away from the subject portion of SE Kane.
- e. ORS 368.361(3) provides that the County may vacate a county road that is entirely within the limits of a city if that city, by resolution or order, concurs in the vacation.
- f. The City of Gresham by Resolution No. 2576 passed on October 15, 2002, concurs with the proposed vacation. A copy of the City's Resolution is attached and identified as Exhibit B.
- g. The petition contains acknowledged signatures of owners of 100 percent of the private property proposed to be vacated and acknowledged signatures of 100 percent of property abutting any public property to be vacated. Further the petition indicates the property owners' approval of the proposed vacation.
- h. Under ORS 368.351, because petitioners represent 100 percent of the ownership of the both the property to be vacated and the abutting property, the County may proceed to complete this vacation without additional notice and publication as would be required under ORS 368.346.
- i. Multnomah County has received a total of \$1,265.00 from the petitioners, of which \$200.00 applies to the feasibility study that was performed by Multnomah County, and the remaining \$1,065.00 will be applied to the vacation proceeding. The total costs for this vacation, including administrative costs, are \$4,359.32.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 03-050

Vacating a Portion of SE Kane Drive, County Road No. 608, Pursuant to ORS Chapter 368

The Multnomah County Board of Commissioners Finds:

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- g. The petition contains acknowledged signatures of owners of 100 percent of the private property proposed to be vacated and acknowledged signatures of 100 percent of property abutting any public property to be vacated. Further the petition indicates the property owners' approval of the proposed vacation.
- h. Under ORS 368.351, because petitioners represent 100 percent of the ownership of the both the property to be vacated and the abutting property, the County may proceed to complete this vacation without additional notice and publication as would be required under ORS 368.346.
- i. Multnomah County has received a total of \$1,265.00 from the petitioners, of which \$200.00 applies to the feasibility study that was performed by Multnomah County, and the remaining \$1,065.00 will be applied to the vacation proceeding. The total costs for this vacation, including administrative costs, are \$4,359.32.

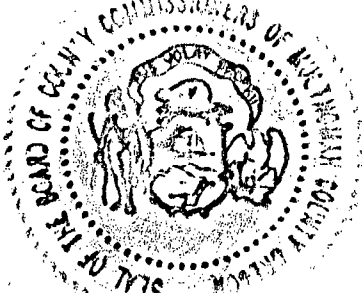
Administrative costs include staff time for research, review, analysis, and document preparation. The balance owed by the petitioner at the date of this hearing is \$3,094.32.

- j. The area requested for vacation in the petition and consented to by the City covers an additional small area that will ultimately be vacated by the County after completion of the above mentioned road project and the establishment of the realigned SE Kane, pursuant to ORS 368.126.
- k. This Resolution accomplishes the vacation of only the area described in the attached Exhibit A.
- l. The County Engineer's Report filed with the Board pursuant to ORS 368.351(1) (See the Agenda Placement Request Memorandum filed with this Resolution) provides that the proposed vacation of the above-referenced right of way is in the public's interest and recommends adoption of this Resolution.

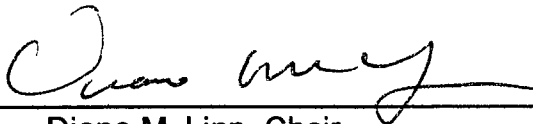
The Multnomah County Board of Commissioners Resolves:

- 1. That certain portion of SE Kane, in the City of Gresham, more particularly described in the attached Exhibit A is hereby vacated as a County Road.
- 2. The total cost for this vacation proceeding incurred by the County is \$4,359.32, and the petitioner is directed to pay the remaining amount of \$3,094.32 to the County.
- 3. The County will record and file this Resolution in accordance with ORS 368.356(3), upon receipt of the total amount owed to the County for this vacation proceeding as set forth in Resolve No. 2.
- 4. Pursuant to ORS 368.366(1) (c), the vacated property shall vest in the rightful owner holding title according to law.

ADOPTED this 10th day of April, 2003.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, ACTING COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Sandra N. Duffy, Assistant County Attorney

EXHIBIT A

RIGHT-OF-WAY VACATION S.E. KANE DRIVE GLAD, LLC

A tract of land located in the southeast quarter Section 11 and the northeast quarter Section 14, Township One South, Range Three East, Willamette Meridian, Multnomah County, Oregon, being more particularly described as follows:

Beginning at the angle point in the S.E. Kane Drive (County Road No. 608) right-of-way line (being 25.00 feet easterly and northerly of the centerline Station 52+68.09 as shown on Survey No. 57,232, said angle point bears North $78^{\circ}06'22''$ East a distance of 129.92 feet from the 4 $\frac{1}{4}$ " Brass disk marking the Southwest corner of the L. Hale D.L.C. No. 62; thence following the existing easterly right-of-way line, South $01^{\circ}12'58''$ West a distance of 177.11 feet; thence along the proposed easterly right-of-way line for realigned S.E. Kane Road, following the arc of a curve turning to the left having a radius of 455.00 feet, with an arc length of 119.66 feet (chord bears North $10^{\circ}52'42''$ West 119.32 feet) to a point on the existing centerline of S.E. Kane Drive as shown on Survey No. 57,232; thence following the existing centerline of S.E. Kane Drive, North $01^{\circ}12'58''$ East a distance of 35.70 feet to Station 52+68.09 an angle point in said existing centerline; thence North $88^{\circ}10'19''$ West a distance of 14.54 feet to a point on the proposed easterly right-of-way line for S.E. Kane Drive; thence following said proposed easterly right-of-way line for S.E. Kane Drive, along the arc of a curve turning to the left having a radius of 455.00 feet, with an arc length of 14.26 feet (chord bears North $24^{\circ}11'04''$ West 14.26 feet) to a point of reverse curvature; thence following the arc of a curve turning to the right having a radius of 375.00 feet, with an arc length of 13.54 feet (chord bears North $24^{\circ}02'51''$ West 13.54 feet) to the point of intersection with the existing northerly right-of-way line of said S.E. Kane Drive; thence following said existing northerly right-of-way line, South $88^{\circ}10'19''$ East a distance of 51.43 feet to the Point of Beginning; having an area of 3,172 square feet, 0.07 acres, more or less.

VACATION / GLAD LLC

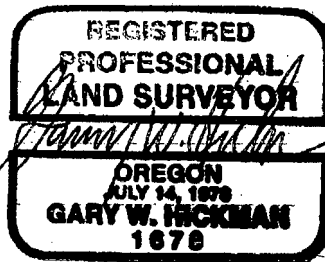
S.E. KANE DRIVE / Page 2 of 2

SUBJECT TO: A 5.00 foot wide sidewalk, slope, utility, drainage, landscape and traffic control devices easement lying easterly of and adjoining a line lying 40.00 easterly of the relocated centerline of S.E. Kane Drive.

All bearings for this description are based upon said Multnomah County Survey No. 57,232.

Doc. 11106v_gladrev.doc

Date: Wednesday, February 24, 2003



RENEWAL DATE 06/30/03
DATE OF SIGNATURE 02/24/03

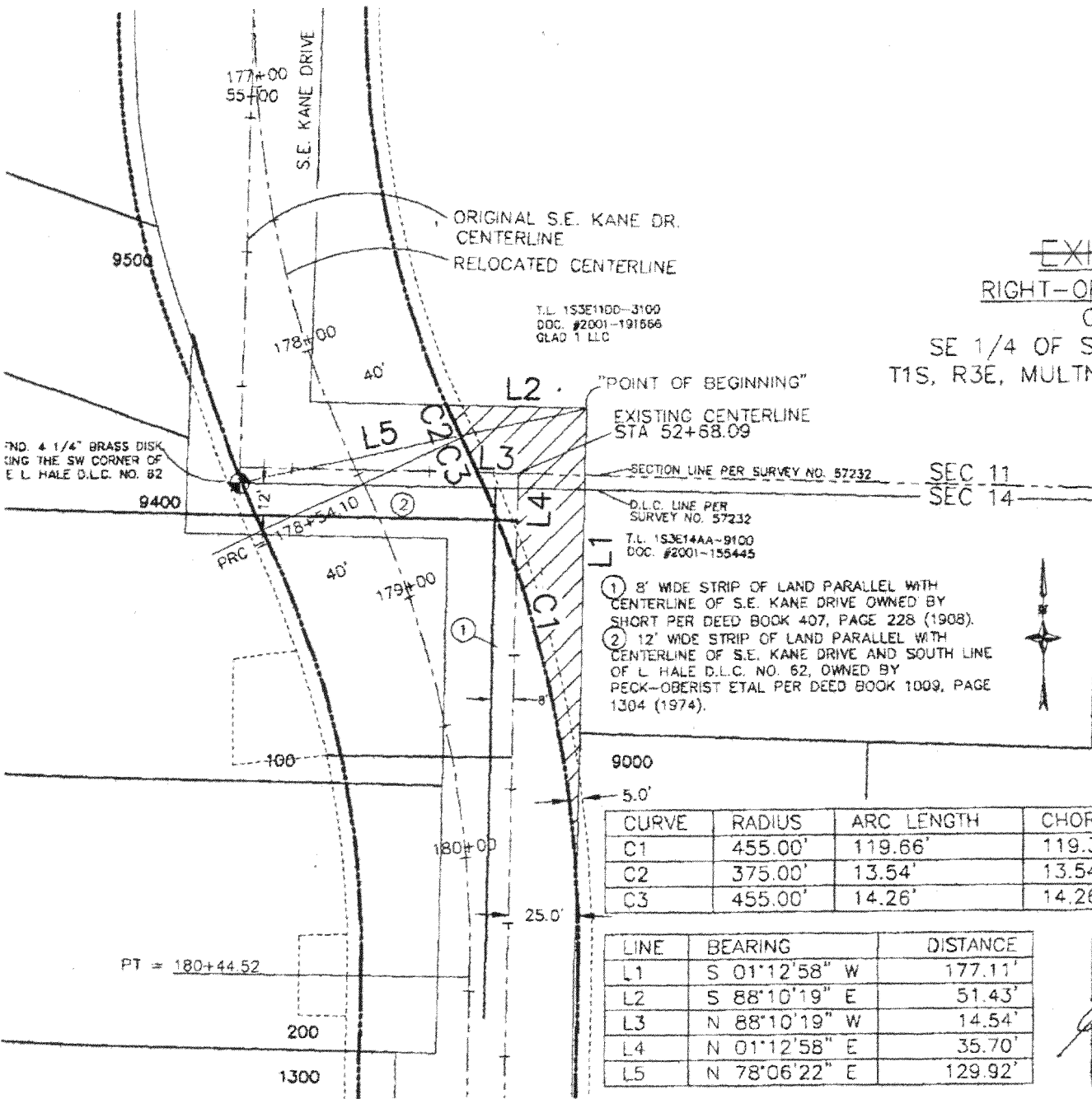
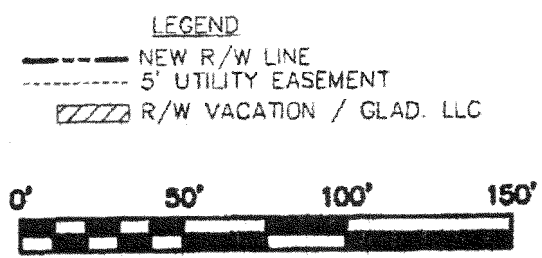


EXHIBIT "B"
RIGHT-OF-WAY VACATION
GLAD, LLC
 SE 1/4 OF SE1/4 OF SECTION 11,
 T1S, R3E, MULTNOMAH COUNTY, OREGON

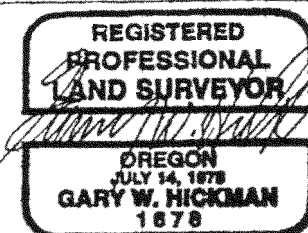
DRAWING NO. 11106_COMAP
 DATE: 2/12/03



- ① 8' WIDE STRIP OF LAND PARALLEL WITH CENTERLINE OF S.E. KANE DRIVE OWNED BY SHORT PER DEED BOOK 407, PAGE 228 (1908).
- ② 12' WIDE STRIP OF LAND PARALLEL WITH CENTERLINE OF S.E. KANE DRIVE AND SOUTH LINE OF L HALE D.L.C. NO. 62, OWNED BY PECK-OBERIST ETAL PER DEED BOOK 1009, PAGE 1304 (1974).

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	455.00'	119.66'	119.32'	N 10°52'42" W	15°04'08"
C2	375.00'	13.54'	13.54'	N 24°02'51" W	02°04'09"
C3	455.00'	14.26'	14.26'	N 24°11'04" W	01°47'45"

LINE	BEARING	DISTANCE
L1	S 01°12'58" W	177.11'
L2	S 88°10'19" E	51.43'
L3	N 88°10'19" W	14.54'
L4	N 01°12'58" E	35.70'
L5	N 78°06'22" E	129.92'



RENEWAL DATE 06/30/03
 DATE OF SIGNATURE 02/12/03

EXHIBIT B

RESOLUTION NO. 2576

A RESOLUTION SUPPORTING MULTNOMAH COUNTY STREET VACATION OF A PORTION OF KANE ROAD ON ITS EAST BOUNDARY BETWEEN SE 7TH STREET AND SE 11TH STREET

THE CITY OF GRESHAM FINDS:

- A. Multnomah County has received a request from Ossey Development Corporation for a vacation of a portion of unimproved SE Kane Road on its west boundary between SE 7th Street and SE 11th Street, containing 3,567.78 square feet. See Exhibit A.
- B. On May 20, 2002, the City approved Aspen Highlands, a 222-unit apartment complex to be constructed on the east side of SE Kane Road, south of SE Powell Valley Road (DR-02-519).
- C. The conditions of approval require the applicant to successfully complete the subject street vacation process prior to construction of that portion of the site that relies on the street vacation.
- D. The County's approved Capital Improvement Plan for widening and improving SE Kane Rd does not require use of the proposed vacation area.
- E. The County has requested input from the City Council in the form a resolution supporting the proposed vacation.

THE CITY OF GRESHAM RESOLVES:

1. The City supports Multnomah County in its effort to approve the vacation of that portion of SE Kane Road located on its east border between SE 7th Street and SE 11th Street, containing approximately 3,567.78 square feet as shown on Exhibit A.

Yes: BECKER, HANNA, LASSEN, BUTTS, HAVERKAMP

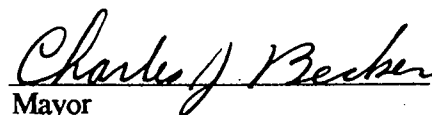
No: NONE

Absent: HORNER, THOMPSON

Abstain: NONE

Passed by the Gresham City Council and effective on OCTOBER 15, 2002


City Manager


Mayor

Approved as to Form:

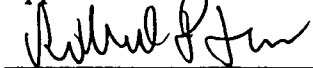

Senior Assistant City Attorney

EXHIBIT "A" of

Resolution 2576

Multnomah County
Kane Dr. ROW Street Vacation

NEW R.O.W. DEDICATION
TO THE CITY OF GRESHAM
BASED UPON C/L EX.
PAVING

ASSUMED STREET
C/L BASED UPON
C/L EX. PAVING

EX. EDGE OF
STREET PAVING

PROPOSED STREET
R.O.W. VACATION
3,567.78 Sq ft

NEW R.O.W. DEDICATION
TO THE CITY OF GRESHAM
3,157.10 Sq ft

EX. R.O.W. C/L

54" RIM = 430.73
12" B' (11") = 4.60
12" B' (11") (5) = 41.63

2 2/21/02

1S3E11DD-3100

N 88°20'59"

1S3E14AA-9100
DOC. #2001-155445

1S3E14AA-9000
DOC. #99-143786

2 2/21/02

40.00' N 88°28'24" W 107.23'

25.00' 15.00'

DIRT PILE
(RAMP)

LOT 1

GLAD I LLC
An Oregon Limited Liability Company

Wednesday, March 5, 2003

Mr. Patrick J. Hinds
Multnomah County
Transportation Division
1600 S.E. 190th Avenue
Portland, Oregon 97233-5910

EXHIBIT C

Subject: Petition to Vacate Public Street Right-of-Way
 S.E. Kane Drive City of Gresham, Oregon

Dear Mr. Hinds,

We hereby petition Multnomah County to initiate proceedings to vacate the existing public street right-of-way located on the east side of S.E. Kane Drive (257th Avenue) between S.E. 7th Street and S.E. 11th Street as specifically described by the attached surveyor's map and legal description.

Our intention is that title to the area being vacated vest in the rightful owner(s) holding title according to law.

1. Legal Description:
 - a. See Attached legal description and map. (*EXHIBIT A*)
 - b. AREA: The area of the proposed public street vacation is 3,172 square feet.
 - c. PUBLIC EASEMENT: A 5-foot (five-foot) slope / utility / drainage / sidewalk / landscaping / traffic control device easement is included along the site's street frontage to Multnomah County.
2. Statement of reasons to vacate:

The subject portion of the existing right-of-way is located outside of the new roadway alignment and right-of-way. The development of Aspen Highlands Apartments by GLAD I LLC will occur on Tax Lots 3100, 8900, 9000 and 9100. The public street improvements proposed and required as part of this development and by Multnomah County's TCIP along the project's frontage of S.E. Kane will be based on the new roadway alignment and right-of-way as designed and approved by Multnomah County.

The proposed public street vacation is outside of the new right of way and will not have any material effect upon the present, proposed or future public street improvements. The right of way remaining will be continuous and will run parallel to and extend forty (40)-feet to the east of the new centerline as shown on the enclosed drawings.

There are no public or private utilities, either underground or overhead located within or above the proposed right-of-way vacation.
3. Names and Addresses of all persons holding any recorded interest in the property to be vacated:
 - a. None discovered
 - b. See para. 4. below

4. Names and Addresses of all persons owning any improvements constructed on public property proposed to be vacated. (Including written response from utility companies stating existence of utility and any easement requirements if utility exists.)

See attached letter from PGE.


5. Names and Addresses of all persons owning real property that may be considered to be abutting the subject public property proposed to be vacated.

- a. GLAD I LLC; 633 NW 19th Avenue, Portland, OR 97209) Tax Lots: 3100, 8900,
- b. Carr Associates; 633 NW 19th Avenue, Portland, OR 97209) 9000 and 9100
- c. Short: per Deed Book 407, Page 228, 1908
- d. Peck, Obrist, Cunningham: Deed Book 1009, Page 1304, 1974

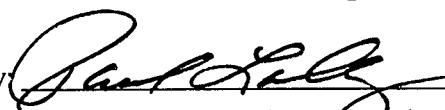
6. Attachments / Exhibits

- a. Vicinity Map
- b. Proposed public street right-of-way vacation legal description
- c. Surveyor's Map showing proposed vacation and existing conditions.
- d. Letter from PGE
- e. Proof of GLAD I LLC & Carr Assoc. LLC Ownership (Deed Copies)
- f. Metroscan Property Profiles for properties abutting on the west side of Kane Dr. (3)
- g. Check to the County in the amount of \$1,065.00 as processing fee (previously submitted).

GLAD I LLC, an Oregon Limited Liability Company

By:  Date: March 5, 2003
Richard B. Ossey, Member and Authorized Signatory

Carr Associates LLC, an Oregon Limited Liability Co.

By:  Date: 3/8/03
Paul H. Labby, Member and Authorized Signatory

GLAD I LLC
An Oregon Limited Liability Company

Tuesday, February 11, 2003


Mr. Pat Hinds
Multnomah County
Transportation Division
1600 S.E. 190th Avenue
Portland, Oregon 97233-5910

Subject: Public Street Right-of-Way Vacation Application
S.E. Kane Drive City of Gresham, Oregon

Dear Mr. Hinds,

Please modify our pending Right of Way Vacation Application by replacing the original description with the revised legal description and surveyor's map which are attached. The revised description excepts that portion of the original area to be vacated lying to the west and south of the existing Kane Rd. R.O.W. centerline.

GLAD I LLC, an Oregon Limited Liability Company

By: 
Richard B. Ossey, Member and Authorized Signatory

Carr Associates LLC, an Oregon Limited Liability Co.

By: 
Paul H. Labby, Member and Authorized Signatory

EXHIBIT "A"**RIGHT-OF-WAY VACATION
S.E. KANE DRIVE
GLAD, LLC**

A tract of land located in the southeast quarter Section 11 and the northeast quarter Section 14, Township One South, Range Three East, Willamette Meridian, Multnomah County, Oregon, being more particularly described as follows:

Beginning at the angle point in the S.E. Kane Drive (County Road No. 608) right-of-way line (being 25.00 feet easterly and northerly of the centerline Station 52+68.09 as shown on Survey No. 57,232, said angle point bears North 78°06'22" East a distance of 129.92 feet from the 4" Brass disk marking the Southwest corner of the L. Hale D.L.C. No. 62; thence following the existing easterly right-of-way line, South 01°12'58" West a distance of 177.11 feet; thence along the proposed easterly right-of-way line for realigned S.E. Kane Road, following the arc of a curve turning to the left having a radius of 455.00 feet, with an arc length of 119.66 feet (chord bears North 10°52'42" West 119.32 feet) to a point on the existing centerline of S.E. Kane Drive as shown on Survey No. 57,232; thence following the existing centerline of S.E. Kane Drive, North 01°12'58" East a distance of 35.70 feet to Station 52+68.09 an angle point in said existing centerline; thence North 88°10'19" West a distance of 14.54 feet to a point on the proposed easterly right-of-way line for S.E. Kane Drive; thence following said proposed easterly right-of-way line for S.E. Kane Drive, along the arc of a curve turning to the left having a radius of 455.00 feet, with an arc length of 14.26 feet (chord bears North 24°11'04" West 14.26 feet) to a point of reverse curvature; thence following the arc of a curve turning to the right having a radius of 375.00 feet, with an arc length of 13.54 feet (chord bears North 24°02'51" West 13.54 feet) to the point of intersection with the existing northerly right-of-way line of said S.E. Kane Drive; thence following said existing northerly right-of-way line, South 88°10'19" East a distance of 51.43 feet to the Point of Beginning; having an area of 3,172 square feet, 0.07 acres, more or less.

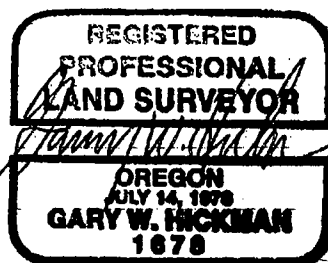
2/25/03

VACATION / GLAD LLC
S.E. KANE DRIVE / Page 2 of 2

SUBJECT TO: A 5.00 foot wide sidewalk, slope, utility, drainage, landscape and traffic control devices easement lying easterly of and adjoining a line lying 40.00 easterly of the relocated centerline of S.E. Kane Drive.

All bearings for this description are based upon said Multnomah County Survey No. 57,232.

Doc. 11106v_gladrev.doc
Date: Wednesday, February 24, 2003



RENEWAL DATE 06/30/03
DATE OF SIGNATURE 02/24/03

GLAD I LLC
An Oregon Limited Liability Company

Friday, June 14, 2002

Mr. Pat Hinds
Multnomah County
Transportation Division
1600 S.E. 190th Avenue
Portland, Oregon 97233-5910

Subject: Public Street Right-of-Way Vacation – Request for Preliminary Feasibility Study
S.E. Kane Drive City of Gresham, Oregon

Dear Mr. Hines,

This letter is our request to Multnomah County for a Preliminary Feasibility Study for vacation of the existing public street right-of-way located on the east side of S.E. Kane Drive (257th Avenue) between S.E. 7th Street and S.E. 11th Street as specifically described by the attached surveyor's map and legal description.

With this request we would also respectfully suggest and request that a corresponding vacation on the west side of Kane Drive be considered for preliminary study

1. Legal Description:

- a. See Attached legal description and map.
- b. AREA: The area of the proposed public street vacation is 3,414.5 square feet. (ACTUAL = 3192.59 FT.)
- c. PUBLIC EASEMENT: A 5-foot (five-foot) slope / utility / drainage / sidewalk / landscaping / traffic control device easement is included along the site's street frontage to Multnomah County.
- d. UTILITY EASEMENT: No additional utility easements (other than above listed Public Easement) are proposed or required to the best of our knowledge.

2. Statement of reasons to vacate:

The subject portion of the existing right-of-way is located outside of the new roadway alignment and right-of-way. The development of Aspen Highlands Apartments by GLAD I LLC will occur on Tax Lots 3100, 8900, 9000 and 9100. The public street improvements proposed and required as part of this development and by Multnomah County's TCIP along the project's frontage of S.E. Kane will be based on the new roadway alignment and right-of-way as designed and approved by Multnomah County.

The proposed public street vacation is outside of the new right of way and will not have any material effect upon the present, proposed or future public street improvements. The right of way remaining will be continuous and will run parallel to and extend forty (40)-feet to the east of the new centerline as shown on the enclosed drawings.

There are no public or private utilities, either underground or overhead located within or above the proposed right-of-way vacation.

3. Names and Addresses of all persons holding any recorded interest in the property to be vacated:

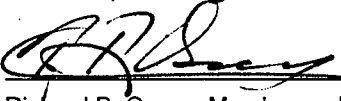
- a. None discovered
- b. See para. 4. below

4. Names and Addresses of all persons owning any improvements constructed on public property proposed to be vacated. (Including written response from utility companies stating existence of utility and any easement requirements if utility exists.)


See attached letter from PGE.

5. Names and Addresses of all persons owning real property that may be considered to be abutting the subject public property proposed to be vacated.
- a. GLAD I LLC; 633 NW 19th Avenue, Portland, OR 97209) Tax Lots: 3100, 8900,
 - b. Carr Associates; 633 NW 19th Avenue, Portland, OR 97209) 9000 and 9100
 - c. James D. and Robyn K. Hainey; 925 SE Kane Drive, Gresham, OR 97080
 - d. William and Eileen I. Niemi; 726 SE Paropa Avenue, Gresham, OR 97080
 - e. Scott O. and Crystal D. Lukas; 710 SE Paropa Avenue, Gresham, OR 97080
6. Attachments / Exhibits
- a. Vicinity Map
 - b. Proposed public street right-of-way vacation legal description
 - c. Surveyor's Map showing proposed vacation and existing conditions.
 - d. Letter from PGE
 - e. Proof of GLAD I LLC & Carr Assoc. LLC Ownership (Deed Copies)
 - f. Metroscan Property Profiles for properties abutting on the west side of Kane Dr. (3)
 - g. Check to the County in the amount of \$200.00 as non-refundable fee for the Feasibility Study

GLAD I LLC, an Oregon Limited Liability Company

By:  Date: 6/14/02
Richard B. Ossey, Member and Authorized Signatory

Carr Associates LLC, an Oregon Limited Liability Co.

By:  Date: 6/14/02
Paul H. Labby, Member and Authorized Signatory

cc: Mr. Gary Miniszewski
City of Gresham
Community and Economic Development Department
1333 NW Eastman Parkway
Gresham, Oregon 97030

Mr. Richard B. Ossey
Ossey Development Corporation
5437 Rosalia Way, suite 100
Lake Oswego, Oregon 97035

Mr. Paul Franks
Paul Franks Architecture
3805 108th Avenue, NE
Bellevue, WA 98004-7613

Mr. Brady Berry
W & H Pacific
8405 S.W. Nimbus
Beaverton, Oregon 97008

Monday, April 8, 2002

Mr. Pat Hines
Multnomah County
Transportation Division
1600 S.E. 190th Avenue
Portland, Oregon 97233-5910

Subject: Public Street Right-of-Way Vacation Application
S.E. Kane Drive
City of Gresham, Oregon

Dear Mr. Hines,

This utility company has reviewed the application for vacation of the existing public street right-of-way located on the east side of S.E. Kane Drive (257th Avenue) between S.E. 7th Street and S.E. 11th Street.

This utility company has reviewed the exhibits showing the vacation of the existing public street right-of-way located on the east side of S.E. Kane Drive (257th Avenue) between S.E. 7th Street and S.E. 11th Street. We have determined that we _____ do, X do not have or have need of any public or private utilities and / or easements, either underground or overhead located within and above the proposed right-of-way vacation.

(Note to Utility: Please enclose a description of any public or private utilities and / or easements, either underground or overhead located within and above the proposed right-of-way vacation.)

This utility _____ does, X does not, object to the proposed vacation of the existing public street right-of-way located on the east side of S.E. Kane Drive (257th Avenue) between S.E. 7th Street and S.E. 11th Street.

1. Exhibits reviewed:
 - a. Vicinity Map
 - b. Proposed public street right-of-way vacation

Sincerely,

John Nelson
John Nelson
LAND AGENT

Name of Utility Company
Address of Utility Company

P.G.E. Co.
121 SW SALMON ST
PORTLAND, OR 97204

Contact Person
Telephone Number

JOHN NELSON
(503) 464-8125 Fax Number 464-2863

ASPEN HIGHLANDS
Public Street Vacation Application

page 2
4/8/02

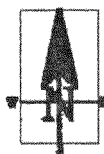
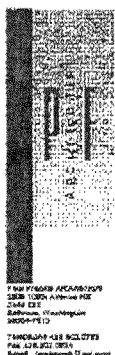
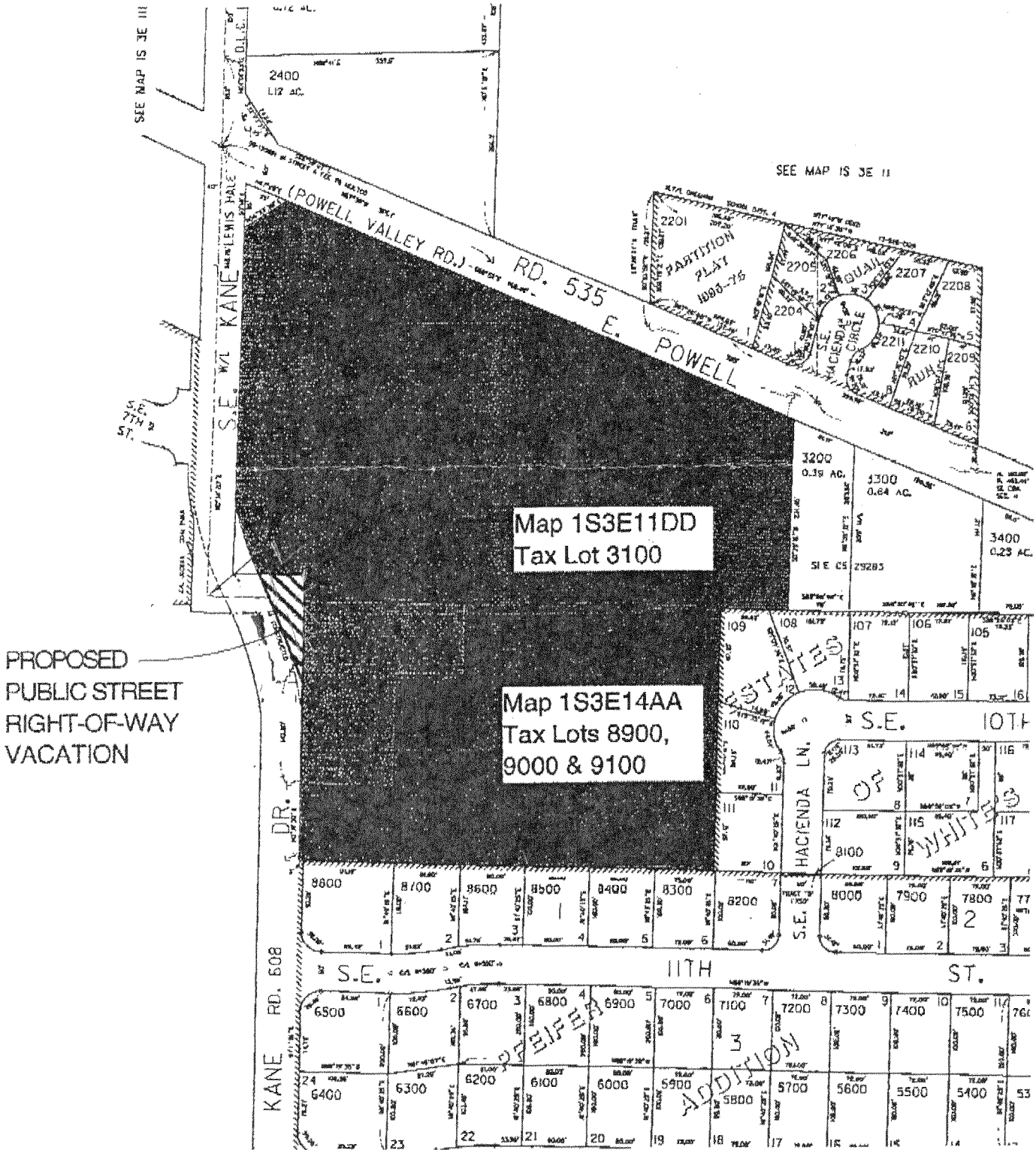
Authorized Signature
Authorize Signatory Name


JOHN NELSON

Date 4-10-2002

cc:

Mr. Paul Franks
Paul Franks Architecture
3805 108th Avenue NE, suite 222
Bellevue, WA 98004



1

TAX MAP

NOT TO SCALE

EXHIBIT

1

PROPOSED PUBLIC STREET RIGHT-OF-WAY VACATION

2:38 PM 4/8/02

06/13/2002 09:00 FAX

TRANSACTION TITLE

002



Title Order No. 932435
Escrow No. 01160388

After recording return to:
GLAD I LLC, an Oregon limited liability company
Preston Gates Ellis LLP / Stan Samuels
222 SW Columbia St. Suite 1400
Portland, OR 97201
Until a change is requested all tax statements shall be sent to the following address.
GLAD I LLC, an Oregon limited liability company
633 NW 19th Ave.
Portland, OR 97209
ATT: Paul Labby

STATUTORY WARRANTY DEED

Richard R. Carney and Patricia Marvin Sibert, Trustees for Robert R. Marvin under agreement dated August 23, 1995, Grantor, conveys and warrants to GLAD I LLC, an Oregon limited liability company, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:
SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

This property is free of liens and encumbrances, EXCEPT: The rights of the public in and to that portion of the premises herein described lying within the limits of roads, streets or highways.

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

The true consideration for this conveyance is \$ 1,810,000.00

Dated this 28 day of November, 2001.

Richard R. Carney
Richard R. Carney, Trustee for Robert F. Marvin under agreement dated August 23, 1995

Patricia Marvin Sibert
Patricia Marvin Sibert, Trustee for Robert F. Marvin under agreement dated August 23, 1995

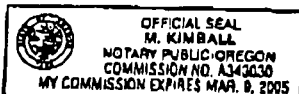
Recorded in the County of Multnomah, Oregon
C. Suick, Deputy Clerk

Total : 24.00
2001-191666 11/30/2001 10:58:42am ATKLM
R37 2 REC SUR DOR OLIS
10.00 3.00 10.00 1.00

STATE OF OREGON

County of Multnomah } SS:

This instrument was acknowledged before me on November 29, 2001, by Richard R. Carney and Patricia Marvin Sibert as Trustee and Trustee of for Robert F. Marvin under agreement dated August 23, 1995.



Notary Public for Oregon
My Commission Expires 3/9/05

2

11-30-01

FATCO. NO. 932435-Comm.

06/13/2002 09:00 FAX

TRANSACTION TITLE

003

Order No. 932435

EXHIBIT "A"

A tract of land situated in the Southeast quarter of Section 11, Township 1 South, Range 3 East, of the Willamette Meridian, in the City of Gresham, County of Multnomah and State of Oregon, and being a part of the North half of the North half of the Northeast quarter of the Northeast quarter of Section 14, Township 1 South, Range 3 East, of the Willamette Meridian, in the City of Gresham, County of Multnomah and State of Oregon, described as follows:

Beginning at the Northwest corner of said Northeast quarter of the Northeast quarter of Section 14, said point being the true point of beginning of the tract herein to be described; thence from the above described true point of beginning North $89^{\circ}23'10''$ West along the section line between Sections 11 and 14, a distance of 101.35 feet to the Southwest corner of the Hale Donation Land Claim; thence North $0^{\circ}52'20''$ East along the West line of said Hale Donation Land Claim 565.78 feet to a point of intersection with the center line of Powell Valley Road; thence South $86^{\circ}56'$ East along said center line 788.46 feet; thence South $0^{\circ}38'50''$ West 272.66 feet to a point on the line between Sections 11 and 14, said point bears North $89^{\circ}23'10''$ West 692.33 feet from the Northeast corner of said Section 14; thence North $89^{\circ}23'10''$ West along said section line 83.58 feet; thence South $0^{\circ}14'30''$ West parallel with the West line of the Northeast quarter of the Northeast quarter of Section 14 a distance of 328.45 feet to the South line of the North half of the North half of said Northeast quarter of the Northeast quarter of Section 14; thence North $89^{\circ}20'10''$ West along the South line of said legal subdivision 528.00 feet to the Southwest corner thereof; thence North $0^{\circ}14'30''$ East along the West line of said legal subdivision 84.70 feet; thence South $89^{\circ}23'10''$ East parallel with the North line of the Northeast quarter of the Northeast quarter of Section 14 a distance of 132.00 feet; thence North $0^{\circ}14'30''$ East parallel with the West line of said legal subdivision 143.00 feet; thence South $89^{\circ}23'10''$ East parallel with the North line of said legal subdivision 83.00 feet; thence North $0^{\circ}14'30''$ East parallel with the West line 90.00 feet to the North line of the Northeast quarter of the Northeast quarter of Section 14; thence North $89^{\circ}23'10''$ West along said North line 215.00 feet to the true point of beginning.

EXCEPTING THEREFROM that portion described in Deed to Multnomah County recorded December 15, 1999 as Fee No. 99224918 and re-recorded September 19, 2000 as Fee No. 2000-130373.

11-30-01

06/13/2002 09:00 FAX

TRANSACTION TITLE

0004



After Recording, Return to:

Glad I, LLC
c/o Carla Properties
633 NW 19th Avenue
Portland, OR 97209

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

Glad I, LLC
c/o Carla Properties
633 NW 19th Avenue
Portland, OR 97209

STATUTORY WARRANTY DEED

(Individual)

Recorded In the County of Multnomah, Oregon

C. Buick, Deputy Clerk

Total : 24.00

2002-079299 05/02/2002 10:29:44am ATKLM

AS7	2	REC	SUN	DCR	CLIS
10.00	3.00	10.00	1.00		

(Above Space Reserved for Recorder's Use)

Deborah DeLozier, Trustee of the Ray D. DeLozier Revocable Trust dated September 10, 2001

conveys and warrants to
GLAD I, LLC

the following described real property in the State of Oregon and County of Multnomah
free of encumbrances, except as specifically set forth herein:

A tract of land situated in the Northeast one-quarter of the Northeast one-quarter of
Section 14, Township 1 South, Range 3 East of the Willamette Meridian, in the City of
Grassham, County of Multnomah and State of Oregon, described as follows:

Beginning at the Northeast corner of the Northeast one-quarter of the Northeast
one-quarter of said Section 14; thence South along the West line of said legal subdivision
90.00 feet to the Southwest corner of the Manuel Torres property and the true point of
beginning of the tract herein to be described; thence from the above described true point
of beginning continuing South along the subdivision line 147.00 feet; thence East parallel
(Continued)

Tax Account Number(s): R140031

This property is free of encumbrances, EXCEPT:
Covenants, conditions, restrictions, rights of way, easements and reservations now of
record.

The true consideration for this conveyance is \$150,000.00

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

DATED this 5th day of April, 2002.

Deborah DeLozier
Deborah DeLozier, Trustee

STATE OF OREGON, COUNTY OF MULTNOMAH) ss.

The foregoing instrument was acknowledged before me this 1st day of MAY, 2002, by
Deborah DeLozier, Trustee.

Theresa M. Kilmer
Notary Public for Oregon
My Commission Expires: 7/25/04



Order No.: 1230487m

06/13/2002 09:01 FAX

TRANSACTION TITLE

0005

STATUTORY WARRANTY DEED
(CONTINUED)

LEGAL DESCRIPTION (Continued)

Order No.: 1230487m

with the North line of the Northeast one-quarter of said Section 14, a distance of 132.00 feet; thence North parallel with the West line of the Northeast one-quarter of the Northeast one-quarter of Section 14, a distance of 143.00 feet to the South line of said Torres Tract; thence West parallel with the North line of the Northeast one-quarter of Section 14, a distance of 132.00 feet to the true point of beginning.

06/13/2002 09:01 FAX

TRANSACTION TITLE

0006

**Transnation**

After Recording, Return to:

Glad I, LLC
c/o Carla Properties
633 NW 19th Avenue
Portland, Oregon 97209

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

Glad I, LLC
c/o Carla Properties
633 NW 19th Avenue
Portland, OR 97209

STATUTORY WARRANTY DEED
(Individual)

Recorded in the County of Multnomah, Oregon

Total : C. Bulick, Deputy Clerk

24.00

2002-080083 05/03/2002 10:01:33am ATSP

AS7	2	REC	SUR	CCR	CLIS
10.00	3.00	10.00	1.00		

(Above Space Reserved for Recorder's Use)

Michael J. Patrick

conveys and warrants to
GLAD I, LLC

the following described real property in the State of Oregon and County of Multnomah
free of encumbrances, except as specifically set forth herein:

The following described real property in Section 14, Township 1, South, Range 3 East of
the Willamette Meridian, in the City of Gresham, County of Multnomah and State of Oregon,
described as follows:

BEGINNING at a point in the center of Kane Road (County Road No. 608) at the Northwest
corner of the North one-half of the North one-half of the Northeast one-quarter of the
Northeast one-quarter of Section 14, Township 1 South, Range 3 East of the Willamette
Meridian; thence East to the East line of said Kane Road; thence continuing East along the
Northerly line of said Section, a distance of 150 feet; thence South 90 feet; thence West
(Continued)

Tax Account Number(s): R140004

This property is free of encumbrances, EXCEPT:
Covenants, conditions, restrictions, rights of way, easements and reservations now of
record.

The true consideration for this conveyance is \$131,000.00

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLA-
TION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRU-
MENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY
OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAW-
SUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 10.539.

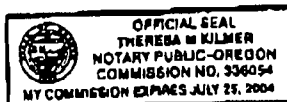
DATED this 1st day of MAY, 2002.

Michael J. Patrick
Michael J. Patrick

STATE OF OREGON, COUNTY OF MULTNOMAH)ss.

The foregoing instrument was acknowledged before me this 1st day of MAY, 2002, by
Michael J. Patrick.

Theresa M. Kilmer
Notary Public for Oregon
My Commission Expires: 7/25/04



Order No.: 1230517m

5-3-02

06/13/2002 09:01 FAX

TRANSACTION TITLE

0007

STATUTORY WARRANTY DEED
(CONTINUED)

LEGAL DESCRIPTION (Continued)

Order No.: 1230517m

198 feet to the East line of said Kane Road; thence continuing West to the center line of Kane Road; thence North along said center line, a distance of 90 feet to the point of beginning.

5-3-02

06/13/2002 09:01 FAX

TRANSACTION TITLE

008

GLAD I LLC, Grantor
CARR ASSOCIATES LLC, Grantee

After recording, return to:
Carr Associates LLC
c/o Carla Properties, Ltd.
633 NW 19th Avenue
Portland, Oregon 97209

Recorded in the County of Multnomah, Oregon
C. Swick, Deputy Clerk
Total : 34.00
2002-099526 06/04/2002 12:00:43pm ATLJH
AST 4 REC SUM DOR OLIS
28.00 9.00 10.00 1.00

WARRANTY DEED - STATUTORY FORM

GLAD I LLC, an Oregon limited liability company ("Grantor"), conveys and warrants to CARR ASSOCIATES LLC, an Oregon limited liability company ("Grantee"), an undivided seventy-nine percent (79%) interest as a tenant in common in the real property in Multnomah County, Oregon described in Exhibit A attached hereto and by this reference made a part hereof. Grantor is retaining an undivided 21% interest as a tenant in common in the property described in Exhibit A. Upon this conveyance, the property described in Exhibit A will be held by Grantor as to an undivided 21% interest and by Grantee as to an undivided 79% interest, and as tenants in common with respect to the undivided interests.

The real property conveyed by this Deed is from all encumbrances except for those of record as of the date of recording of this Deed.

Consideration: The true and actual consideration for this conveyance is \$1,485,496, which is paid by an accommodator as a part of an IRC §1031 tax deferred exchange.

Until a change is requested, all tax statements shall be sent to the following address:
Carr Associates LLC c/o Carla Properties, Ltd., 633 N.W. 19th, Portland, Oregon 97209

Required Notice: THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD

06/13/2002 09:01 FAX

TRANSACTION TITLE

009

CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT
TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS
AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

DATED this 4th day of June, 2002.

GLAD I LLC,
an Oregon limited liability company

By: Paul Labby
Paul Labby, Authorized Signatory

By: Richard B. Ossey
Richard B. Ossey, Authorized Signatory

STATE OF OREGON)
) ss.
County of Multnomah)

This instrument was acknowledged before me on June 4, 2002, by Paul Labby and
Richard B. Ossey, as Authorized Signatories of GLAD I LLC, an Oregon limited liability
company, on behalf of the limited liability company.

Theresa M. Kilmer
Notary Public for Oregon
My commission expires: 7/25/04



06/13/2002 09:01 FAX

TRANSACTION TITLE

010

Parcel 1

EXHIBIT "A" - Page 1

A tract of land situated in the Southeast quarter of Section 11, Township 1 South, Range 3 East, of the Willamette Meridian, in the City of Gresham, County of Multnomah and State of Oregon, and being a part of the North half of the North half of the Northeast quarter of the Northeast quarter of Section 14, Township 1 South, Range 3 East, of the Willamette Meridian, in the City of Gresham, County of Multnomah and State of Oregon, described as follows:

Beginning at the Northwest corner of said Northeast quarter of the Northeast quarter of Section 14, said point being the true point of beginning of the tract herein to be described; thence from the above described true point of beginning North 89°23'10" West along the section line between Sections 11 and 14, a distance of 101.35 feet to the Southwest corner of the Hale Donation Land Claim; thence North 0°52'20" East along the West line of said Hale Donation Land Claim 685.78 feet to a point of intersection with the center line of Powell Valley Road; thence South 86°56' East along said center line 768.46 feet; thence South 0°38'50" West 272.66 feet to a point on the line between Sections 11 and 14, said point bears North 89°23'10" West 692.33 feet from the Northeast corner of said Section 14; thence North 89°23'10" West along said section line 69.59 feet; thence South 0°14'30" West parallel with the West line of the Northeast quarter of the Northeast quarter of Section 14 a distance of 328.45 feet to the South line of the North half of the North half of said Northeast quarter of the Northeast quarter of Section 14; thence North 89°20'10" West along the South line of said legal subdivision 528.00 feet to the Southwest corner thereof; thence North 0°14'30" East along the West line of said legal subdivision 94.70 feet; thence South 89°23'10" East parallel with the North line of the Northeast quarter of the Northeast quarter of Section 14 a distance of 132.00 feet; thence North 0°14'30" East parallel with the West line of said legal subdivision 143.00 feet; thence South 89°23'10" East parallel with the North line of said legal subdivision 83.00 feet; thence North 0°14'30" East parallel with the West line 80.00 feet to the North line of the Northeast quarter of the Northeast quarter of Section 14; thence North 89°23'10" West along said North line 215.00 feet to the true point of beginning.

EXCEPTING THEREFROM that portion described in Deed to Multnomah County recorded December 15, 1999 as Fee No. 99224918 and re-recorded September 19, 2000 as Fee No. 2000-130373.

06/13/2002 09:01 FAX

TRANSACTION TITLE

011

EXHIBIT A - Page 2**Parcel 2**

A tract of land situated in the Northeast quarter of the Northeast quarter of Section 14, Township 1 South, Range 3 East of the Willamette Meridian, County of Multnomah, and State of Oregon, described as follows:

Beginning at the Northwest corner of the Northeast quarter of the Northeast quarter of said Section 14; thence South along the West line of said legal subdivision 90.00 feet to the Southwest corner of the Manual Torrez property and the true point of beginning of the tract herein to be described; thence from the above-described true point of beginning continuing South along the subdivision line 143.00 feet; thence East parallel with the North line of the Northeast quarter of said Section 14 a distance of 132.00 feet; thence North parallel with the West line of the Northeast quarter of the Northeast quarter of Section 14 a distance of 143.00 feet to the South line of said Torrez tract; thence West parallel with the North line of the Northeast quarter of Section 14 a distance of 132.00 feet to the true point of beginning, excepting therefrom that part of the above-described tract lying within the right-of-way of Kane Road.

Parcel 3

The following described real property in Section 14, Township 1 South, Range 3 East of the Willamette Meridian, in the City of Gresham, County of Multnomah and State of Oregon, described as follows:

Beginning at a point in the center of Kane Road (County Road No. 608) at the Northwest corner of the North one-half of the North one-half of the Northeast one-quarter of the Northeast one-quarter of Section 14, Township 1 South, Range 3 East of the Willamette Meridian; thence East to the East line of said Kane Road; thence continuing East along the Northerly line of said Section 198 feet; thence South 90 feet; thence West 198 feet to the East line of said Kane road; thence continuing West to the center line of Kane Road; thence North along said center line 90 feet to the point of beginning.

EXHIBIT A TO WARRANTY DEED - STATUTORY FORM - PAGE 2

6-4-02

06/13/2002 09:03 FAX

TRANSACTION TITLE

0025

= METROSCAN PROPERTY PROFILE =
Multnomah (OR)

OWNERSHIP INFORMATION

Parcel Number : R340019
Ref Parcel Number : 1S3E14AB 100
Old Parcel Number : R99314 1180
Map Number : 141S3E T:01S R:03E S:14 Q:NE
Owner : Hainey James D/Robyn K
CoOwner :
Site Address : 925 NE Kane Dr Gresham 97030
Mail Address : 925 NE Kane Dr Gresham Or 97030
Telephone : Owner: Tenant:

SALES AND LOAN INFORMATION

Transferred	: 08/15/2001	Loan Amount	: \$152,808
Document #	: 1128450	Lender	: Sunset Mortgage
Sale Price	: \$155,000	Loan Type	: Fha
Deed Type	: Warranty	Interest Rate	: Fixed
% Owned	: 100	Vesting Type	: Married Persons

ASSESSMENT AND TAX INFORMATION

MktLand	: \$55,140	Levy Code	: 026
MktStructure	: \$88,320	01-02 Taxes	: \$1,966.81
MktTotal	: \$143,460	Exempt Amount	:
% Improved	: 62	Exempt Type	:
AssessedTotal	: \$113,930		

PROPERTY DESCRIPTION

Map Page & Grid : 629 E2
Census : Tract:104.06 Block:4
Improvement Type : B Dwelling (Single)
Zoning : Sr
Subdivision/Plat :
Neighborhood Cd : 049
Land Use : 141 Res, Single Family, Improved
Legal : SECTION 14 1 S 3 E; TL 100 0.46
: ACRES MAP 141S3E
:

Profile-Page 1 of 2

08/13/2002 09:02 FAX

TRANSACTION TITLE

0018

= METROSCAN PROPERTY PROFILE =
Multnomah (OR)

OWNERSHIP INFORMATION

Parcel Number : R192943
Ref Parcel Number : 1S3E11DC 9400
Old Parcel Number : R42965 1400
Map Number : 3456 T:01S R:03E S:11 Q:SE
Owner : Niemi William Tr & Niemi Eileen I Tr
CoOwner :
Site Address : 726 SE Paropa Ave Gresham 97080
Mail Address : 726 SE Paropa Ave Gresham Or 97080
Telephone : Owner: 503-666-4361 Tenant:

SALES AND LOAN INFORMATION

Transferred :	Loan Amount :
Document # : 2709-1343	Lender :
Sale Price :	Loan Type :
Deed Type :	Interest Rate :
% Owned :	Vesting Type :

ASSESSMENT AND TAX INFORMATION

MktLand : \$50,450	Levy Code : 026
MktStructure : \$99,560	01-02 Taxes : \$2,056.06
MktTotal : \$150,010	Exempt Amount :
% Improved : 66	Exempt Type :
AssessedTotal : \$119,100	

PROPERTY DESCRIPTION

Map Page & Grid : 629 E3
Census : Tract: 104.04 Block: 2
Improvement Type : B Dwelling (Single)
Zoning : Ldr
Subdivision/Plat : JocoHa Pk
Neighborhood Cd : 045
Land Use : 141 Res, Single Family, Improved
Legal : JOCOHA PARK; LOT 11 BLOCK 3 MAP 345
: 6
:

Profile-Page 1 of 2

06/13/2002 09:01 FAX

TRANSACTION TITLE

012

= METROSCAN PROPERTY PROFILE =
Multnomah (OR)

OWNERSHIP INFORMATION

Parcel Number : R192944
Ref Parcel Number : 1S3E11DC 9500
Old Parcel Number : R42965 1420
Map Number : 3456 T:01S R:03E S:11 Q:SE
Owner : Lukas Scott O/Crystal D
CoOwner :
Site Address : 710 SE Paropa Ave Gresham 97080
Mail Address : 710 SE Paropa Ave Gresham Or 97080
Telephone : Owner: Tenant:

SALES AND LOAN INFORMATION

Transferred	: 04/05/2002	Loan Amount	: \$139,900
Document #	: 2062058	Lender	: Sunset Mortgage
Sale Price	: \$174,900	Loan Type	: Conventional
Deed Type	: Warranty	Interest Rate	: Fixed
% Owned	: 100	Vesting Type	: Estate By Entire

ASSESSMENT AND TAX INFORMATION

MktLand	: \$48,370	Levy Code	: 026
MktStructure	: \$123,380	01-02 Taxes	: \$2,353.51
MktTotal	: \$171,750	Exempt Amount	:
% Improved	: 72	Exempt Type	:
AssessedTotal	: \$136,330		

PROPERTY DESCRIPTION

Map Page & Grid : 629 E3
Census : Tract:104.04 Block:2
Improvement Type : B Dwelling (Single)
Zoning : Ldr
Subdivision/Plat : JocoHa Pk
Neighborhood Cd : 045
Land Use : 141 Res, Single Family, Improved
Legal : JOCOHA PARK; LOT 12 BLOCK 3 MAP 345
: 6
:

Profile-Page 1 of 2

I, William Niemi and I, EILEEN NIEMI of

726 SE Paropa Avenue., Gresham, Oregon, 97030, are the owners of the property
legally described as:

SECTION 11 1S 3E, Tax Lot 9400 (see Exhibit "C")

We understand that a portion of Kane Dr. as described in the attached Exhibits "A"
(Legal Description) and "B"(Surveyor's Map) is being considered for vacation, and
that our above described property abuts the property to be vacated. The attached
Exhibits "A" and "B" correctly describe our understanding of the request for
vacation and we are in full concurrence with said request.

State of Oregon, County of Multnomah } ss.

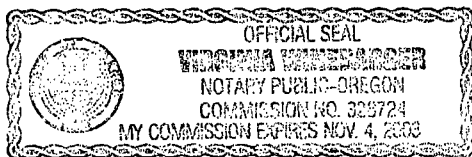
This instrument was signed or attested before me on ^{December}~~November~~ 5, 2002, by

William Niemi
(Print Property Owner Name)

EILEEN NIEMI
(Print Property Owner Name)

William Niemi
(Signature of Property Owner)

Eileen Niemi
(Signature of Property Owner)



Virginia Winebarger
Notary Public for Oregon
My commission expires: 11-4-03

Notary Seal }

Exhibits: "A" - Legal Description of Property to be Vacated
"B" - Surveyor's Map of Property to be Vacated
"C" - Tax Map Identifying Owner's Property

EXHIBIT "A"

**RIGHT-OF-WAY VACATION
S.E. KANE DRIVE**

A tract of land located in the southeast quarter of the southeast quarter of Section 11 and the northeast quarter of the northeast quarter of Section 14, Township One South, Range Three East, Willamette Meridian, Multnomah County, Oregon, being more particularly described as follows:

Beginning at the angle point in the S.E. Kane Drive right-of-way line (being 25.00 feet easterly and northerly of the centerline Station 52+68.09 as shown on Survey No. 57,232), said angle point bears North 78°03'57" East a distance of 129.92 feet from the 4 1/4" Brass disk marking the Southwest corner of the L. Hale D.L.C. No. 62; thence following the said northerly right-of-way line, North 88°11'35" West a distance of 51.52 feet; thence leaving said northerly right-of-way line, following the arc of a curve turning to the left having a radius of 375.00 feet, with an arc length of 13.97 feet (chord bears South 24°04'15" East 13.96 feet); thence following the arc of a curve turning to the right having a radius of 455.00 feet, with an arc length of 170.23 feet (chord bears South 14°25'11" East 169.23 feet) to a point on the said easterly right-of-way line; thence following said easterly right-of-way line, North 01°11'42" East a distance of 175.07 feet to the Point of Beginning; having an area of 3,414.5 square feet, 0.08 acres.

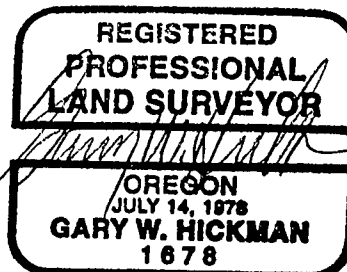
SUBJECT TO: A 5.00 foot wide utility easement lying easterly of and adjoining the southwesterly line of the above described parcel.

All bearings for this description are based upon the plat of ESTATES OF WHITE'S ADDITION.

The centerline and right-of-way lines for S.E. Kane Drive are as established by Survey No. 57,232.

Doc. 11106v.doc

Date: Friday, June 07, 2002



RENEWAL DATE 06,30,03
DATE OF SIGNATURE 06,12,02

INTERSECTION



S.E. KANE DRIVE

POWELL VALLEY ROAD

S.W. HACIENDA

EXHIBIT "B"
RIGHT-OF-WAY VACATION
AND UTILITY EASEMENT
SE 1/4 OF SE1/4 OF SECTION 11,
T1S, R3E, MULTNOMAH COUNTY, OREGON

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C3	455.00'	170.23'	169.23'	S 14°25'11" E	21°26'08"
C4	375.00'	13.97'	13.96'	N 24°04'15" W	02°08'02"
C5	460.00'	133.03'	132.57'	S 16°51'09" E	16°34'13"
C6	370.00'	11.46'	11.46'	N 24°15'00" W	01°46'31"



LINE	BEARING	DISTANCE
L15	N 88°11'35" W	5.52'
L16	S 01°11'42" W	175.07'
L17	S 88°11'35" E	51.52'
L19	S 01°11'42" W	39.16'

FND. 4 1/4" BRASS DISK
MARKING THE SW CORNER OF
THE L. HALE D.L.C. NO. 62

5' WIDE UTILITY EASEMENT

T.L. 1S3E11DD-3100
DOC. #2001-191666
GLAD 1 LLC

FND. 5/8" IR WITH
YPC MARKED
"G&L PLS 1989"

SECTION LINE PER SURVEY NO. 57232

CL STA 52+68.09

R/W VACATION
3414.5 SQ. FT.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 14, 1978
GARY W. HICKMAN
1678

RENEWAL DATE 06/30/03
DATE OF SIGNATURE 06/12/02

T.L. 1S3E14AA-9100
DOC. #2001-155445

D.L.C. LINE PER
SURVEY NO. 57232

LEGEND
--- BOUNDARY LINE
--- EASEMENT LINE
/// R/W VACATION

T.L. 1S3E14AA-9000
DOC. #99-143786

T.L. 1S3E14AA-8900
DOC. #95-106742

JOB 11106B
VIEW: V
DATE: 6/7/02

LOT 11 LOT 12
OF WHITE'S ADDITION

LOT 13

E DRIVE

11/13/2002 09:58 FAX 503 553 5679

PDX NCS

= M E T R O S C A N P R O P E R T Y P R O F I L E =
Multnomah (OR)

OWNERSHIP INFORMATION

Parcel Number :R192943
Ref Parcel Number :1S3E11DC 9400
Old Parcel Number :R42965 1400
Map Number :3456 T:01S R:03E S:11 Q:SE
Owner :Niemi William Tr & Niemi Eileen I Tr
CoOwner :
Site Address :726 SE Paropa Ave Gresham 97080
Mail Address :726 SE Paropa Ave Gresham Or 97080
Telephone :Owner:503-666-4361 Tenant:

SALES AND LOAN INFORMATION

Transferred :	Loan Amount :
Document # :2709-1343	Lender :
Sale Price :	Loan Type :
Deed Type :	Interest Rate :
% Owned :	Vesting Type :

ASSESSMENT AND TAX INFORMATION

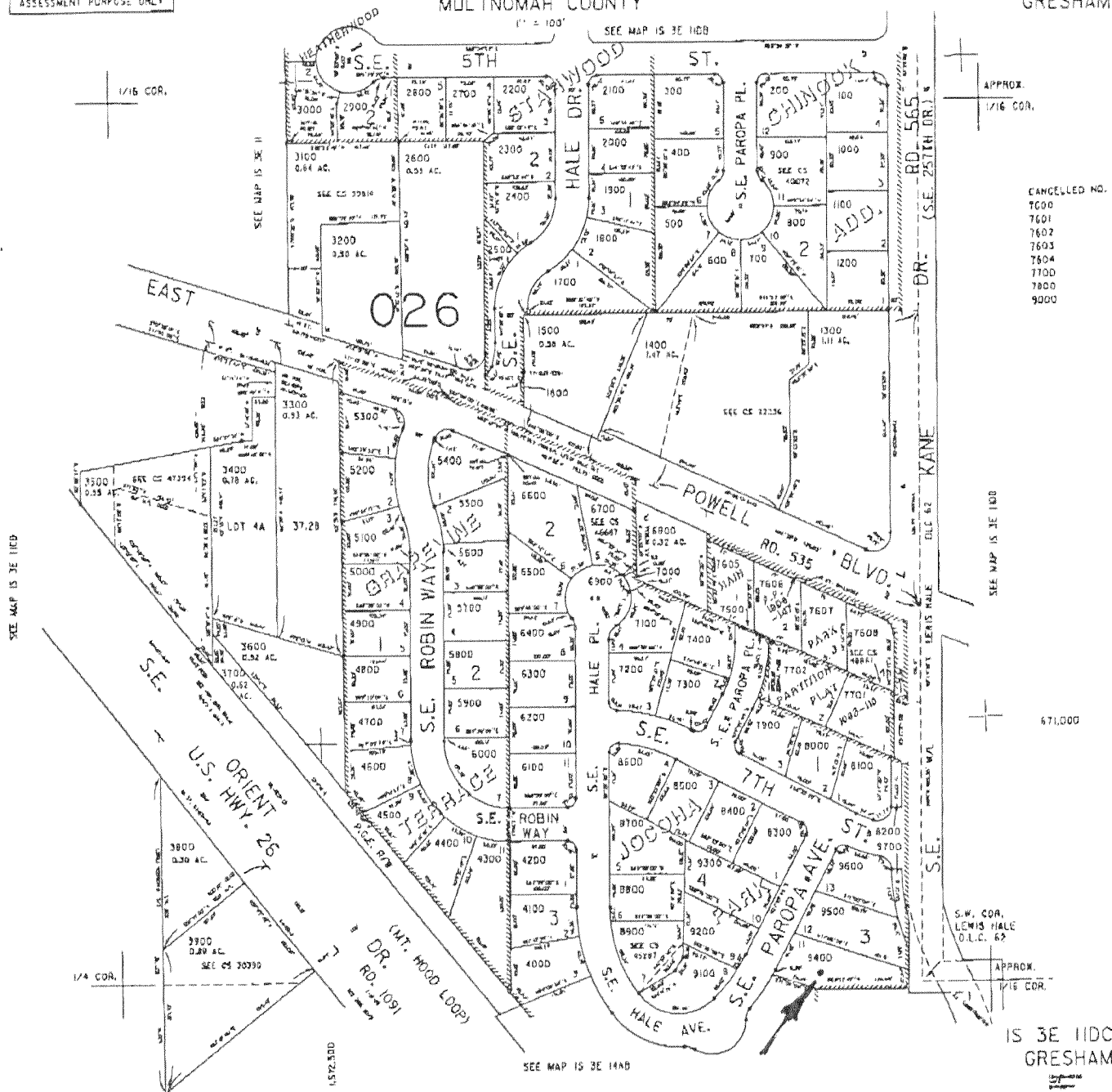
MktLand :\$50,450	Levy Code :026
MktStructure :\$99,560	01-02 Taxes :\$2,056.06
MktTotal :\$150,010	Exempt Amount :
% Improved :66	Exempt Type :
AssessedTotal :\$119,100	

PROPERTY DESCRIPTION

Map Page & Grid :629 E3
Census :Tract:104.04 Block:2
Improvement Type :B Dwelling (Single)
Zoning :Ldr
Subdivision/Plat :Jocoha Pk
Neighborhood Cd :045
Land Use :141 Res,Single Family,Improved
Legal :JOCOHA PARK; LOT 11 BLOCK 3 MAP 345
:
:
:

Profile-Page 1 of 2

IS 3E 11DC
GRESHAM



I, SCOTT O LUKAS and I, Crystal D. Lukas of
710 SE Paropa Avenue., Gresham, Oregon, 97030, are the owners of the property
legally described as:

SECTION 11 1S 3E, Tax Lot 9500 (see Exhibit "C")

We understand that a portion of Kane Dr. as described in the attached Exhibits "A"
(Legal Description) and "B"(Surveyor's Map) is being considered for vacation, and
that our above described property abuts the property to be vacated. The attached
Exhibits "A" and "B" correctly describe our understanding of the request for
vacation and we are in full concurrence with said request.

State of Oregon, County of Multnomah } ss.

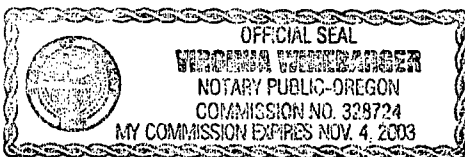
This instrument was signed or attested before me on November 21, 2002, by

SCOTT O LUKAS
(Print Property Owner Name)

Scott O Lukas
(Signature of Property Owner)

Crystal D Lukas
(Print Property Owner Name)

Crystal D Lukas
(Signature of Property Owner)



Virginia Winckler
Notary Public for Oregon
My commission expires: 11-4-03

Notary Seal }

Exhibits: "A" - Legal Description of Property to be Vacated
"B" - Surveyor's Map of Property to be Vacated
"C" - Tax Map Identifying Owner's Property

EXHIBIT "A"

**RIGHT-OF-WAY VACATION
S.E. KANE DRIVE**

A tract of land located in the southeast quarter of the southeast quarter of Section 11 and the northeast quarter of the northeast quarter of Section 14, Township One South, Range Three East, Willamette Meridian, Multnomah County, Oregon, being more particularly described as follows:

Beginning at the angle point in the S.E. Kane Drive right-of-way line (being 25.00 feet easterly and northerly of the centerline Station 52+68.09 as shown on Survey No. 57,232), said angle point bears North 78°03'57" East a distance of 129.92 feet from the 4 1/4" Brass disk marking the Southwest corner of the L. Hale D.L.C. No. 62; thence following the said northerly right-of-way line, North 88°11'35" West a distance of 51.52 feet; thence leaving said northerly right-of-way line, following the arc of a curve turning to the left having a radius of 375.00 feet, with an arc length of 13.97 feet (chord bears South 24°04'15" East 13.96 feet); thence following the arc of a curve turning to the right having a radius of 455.00 feet, with an arc length of 170.23 feet (chord bears South 14°25'11" East 169.23 feet) to a point on the said easterly right-of-way line; thence following said easterly right-of-way line, North 01°11'42" East a distance of 175.07 feet to the Point of Beginning; having an area of 3,414.5 square feet, 0.08 acres.

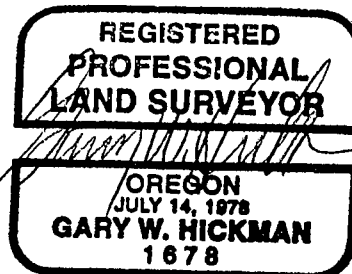
SUBJECT TO: A 5.00 foot wide utility easement lying easterly of and adjoining the southwesterly line of the above described parcel.

All bearings for this description are based upon the plat of ESTATES OF WHITE'S ADDITION.

The centerline and right-of-way lines for S.E. Kane Drive are as established by Survey No. 57,232.

Doc. 11106v.doc

Date: Friday, June 07, 2002



RENEWAL DATE 06/30/03

DATE OF SIGNATURE 06/12/02

INTERSECTION



S.E. KANE DRIVE

S.E. 7th ST.

S 01°49'51" W

25'

40.0'
5.0'

POWELL VALLEY ROAD

S 66°00'40" E

S.W. HACIENDA

EXHIBIT "B"
RIGHT-OF-WAY VACATION
AND UTILITY EASEMENT
SE 1/4 OF SE1/4 OF SECTION 11,
T1S, R3E, MULTNOMAH COUNTY, OREGON

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C3	455.00'	170.23'	169.23'	S 14°25'11" E	21°26'08"
C4	375.00'	13.97'	13.96'	N 24°04'15" W	02°08'02"
C5	460.00'	133.03'	132.57'	S 16°51'09" E	16°34'13"
C6	370.00'	11.46'	11.46'	N 24°15'00" W	01°46'31"



LINE	BEARING	DISTANCE
L15	N 88°11'35" W	5.52'
L16	S 01°11'42" W	175.07'
L17	S 88°11'35" E	51.52'
L19	S 01°11'42" W	39.16'

FND. 4 1/4" BRASS DISK
MARKING THE SW CORNER OF
THE L. HALE D.L.C. NO. 62

5' WIDE UTILITY EASEMENT

T.L. 1S3E11DD-3100
DOC. #2001-191666
GLAD 1 LLC

40.00' P.O.B. VACATION

SECTION LINE PER SURVEY NO. 57232

FND. 5/8" IR WITH
YPC MARKED
"G&L PLS 1989"

CL STA 52+68.09

R/W VACATION
3414.5 SQ. FT.

T.L. 1S3E14AA-9100
DOC. #2001-155445

D.L.C. LINE PER
SURVEY NO. 57232

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 14, 1978
GARY W. HICKMAN
1678

LEGEND

- BOUNDARY LINE
- - - EASEMENT LINE
- ▨ R/W VACATION

T.L. 1S3E14AA-9000
DOC. #99-143786

T.L. 1S3E14AA-8900
DOC. #95-106742

JOB 11106B
VIEW: V
DATE: 6/7/02

RENEWAL DATE 06/30/03
DATE OF SIGNATURE 06/12/02

E DRIVE

LOT 11 LOT 12
OF WHITE'S ADDITION

LOT 13

11/13/2002 09:58 FAX 503 553 5679

PDX NCS

Page 1 of 2

= METROSCAN PROPERTY PROFILE =
Multnomah (OR)

OWNERSHIP INFORMATION

Parcel Number : R192944
Ref Parcel Number : 1S3E11DC 9500
Old Parcel Number : R42965 1420
Map Number : 3456 T:01S R:03E S:11 Q:SE
Owner : Lukas Scott O/Crystal D
CoOwner :
Site Address : 710 SE Paropa Ave Gresham 97080
Mail Address : 710 SE Paropa Ave Gresham Or 97080
Telephone : Owner: Tenant:

SALES AND LOAN INFORMATION

Transferred	: 04/05/2002	Loan Amount	: \$139,900
Document #	: 2062058	Lender	: Sunset Mortgage
Sale Price	: \$174,900	Loan Type	: Conventional
Deed Type	: Warranty	Interest Rate	: Fixed
% Owned	: 100	Vesting Type	: Estate By Entire

ASSESSMENT AND TAX INFORMATION

MktLand	: \$48,370	Levy Code	: 026
MktStructure	: \$123,380	01-02 Taxes	: \$2,353.51
MktTotal	: \$171,750	Exempt Amount	:
% Improved	: 72	Exempt Type	:
AssessedTotal	: \$136,330		

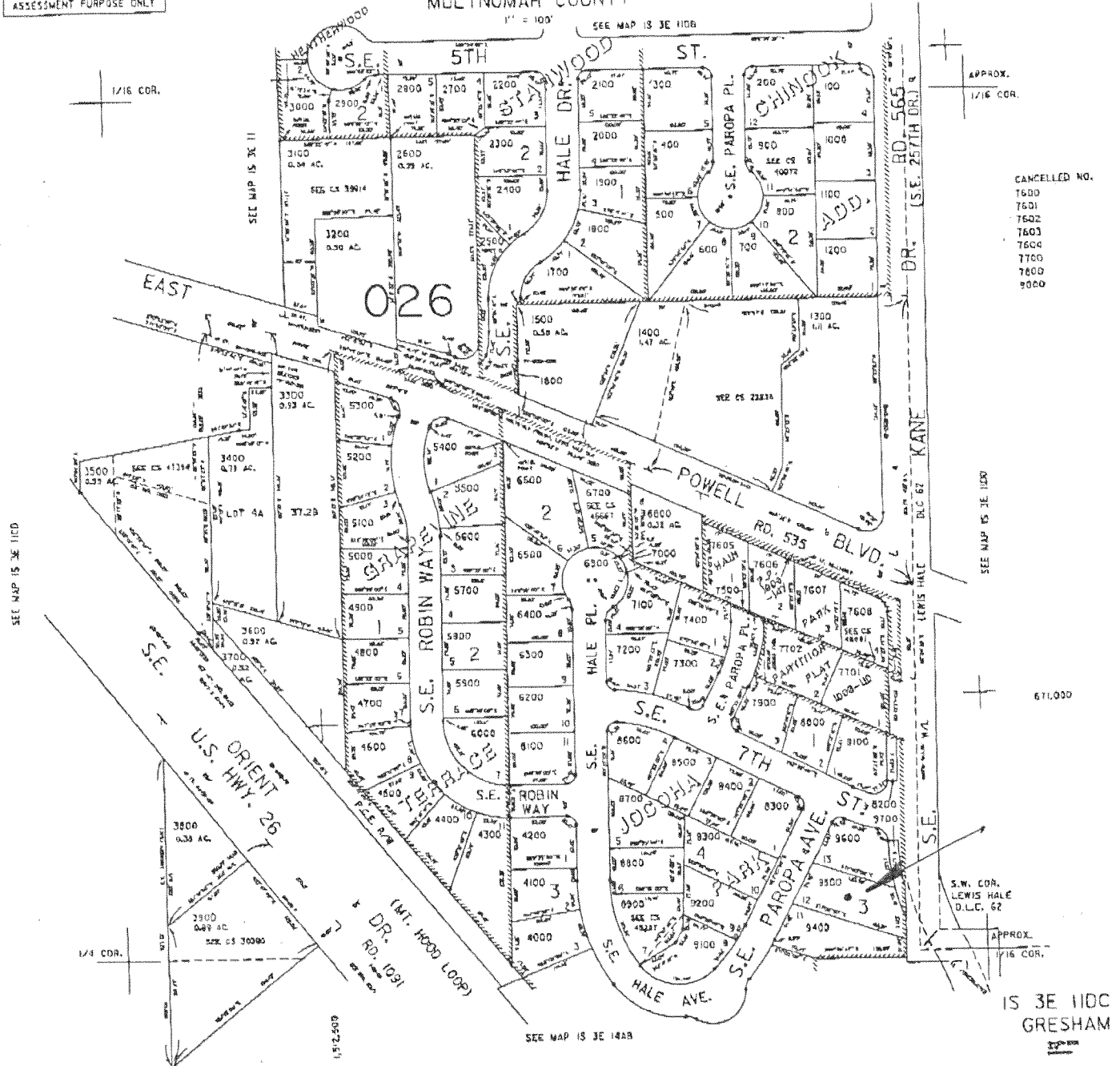
PROPERTY DESCRIPTION

Map Page & Grid : 629 E3
Census : Tract:104.04 Block:2
Improvement Type : B Dwelling (Single)
Zoning : Ldr
Subdivision/Plat : JocoHa Pk
Neighborhood Cd : 045
Land Use : 141 Res, Single Family, Improved
Legal : JOCOHA PARK; LOT 12 BLOCK 3 MAP 345
: 6
:

Profile-Page 1 of 2

PDX NCS

IS 3E IDC
GRESHAM



I, JAMES DEAN HAIRNEY and I, ROBYN KAY HAIRNEY of
925 SE Kane Dr., Gresham, Oregon, 97030, are the owners of the property legally
described as:

SECTION 14 1S 3E, Tax Lot 100 (see Exhibit "C")

We understand that a portion of Kane Dr. as described in the attached Exhibits "A"
(Legal Description) and "B"(Surveyor's Map) is being considered for vacation, and
that our above described property abuts the property to be vacated. The attached
Exhibits "A" and "B" correctly describe our understanding of the request for
vacation and we are in full concurrence with said request.

State of Oregon, County of Multnomah } ss.

This instrument was signed or attested before me on November 19, 2002, by

JAMES DEAN HAIRNEY
(Print Property Owner Name)

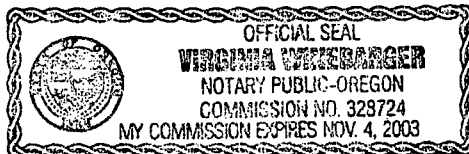
ROBYN KAY HAIRNEY
(Print Property Owner Name)

[Signature]
(Signature of Property Owner)

[Signature]
(Signature of Property Owner)

Virginia Winebarger
Notary Public for Oregon
My commission expires: 11-4-03

Notary Seal }



Exhibits: "A" - Legal Description of Property to be Vacated
"B" - Surveyor's Map of Property to be Vacated
"C" - Tax Map Identifying Owner's Property

EXHIBIT "A"

**RIGHT-OF-WAY VACATION
S.E. KANE DRIVE**

A tract of land located in the southeast quarter of the southeast quarter of Section 11 and the northeast quarter of the northeast quarter of Section 14, Township One South, Range Three East, Willamette Meridian, Multnomah County, Oregon, being more particularly described as follows:

Beginning at the angle point in the S.E. Kane Drive right-of-way line (being 25.00 feet easterly and northerly of the centerline Station 52+68.09 as shown on Survey No. 57,232), said angle point bears North 78°03'57" East a distance of 129.92 feet from the 4 1/4" Brass disk marking the Southwest corner of the L. Hale D.L.C. No. 62; thence following the said northerly right-of-way line, North 88°11'35" West a distance of 51.52 feet; thence leaving said northerly right-of-way line, following the arc of a curve turning to the left having a radius of 375.00 feet, with an arc length of 13.97 feet (chord bears South 24°04'15" East 13.96 feet); thence following the arc of a curve turning to the right having a radius of 455.00 feet, with an arc length of 170.23 feet (chord bears South 14°25'11" East 169.23 feet) to a point on the said easterly right-of-way line; thence following said easterly right-of-way line, North 01°11'42" East a distance of 175.07 feet to the Point of Beginning; having an area of 3,414.5 square feet, 0.08 acres.

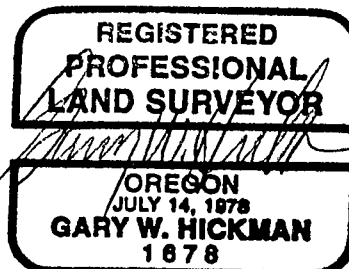
SUBJECT TO: A 5.00 foot wide utility easement lying easterly of and adjoining the southwesterly line of the above described parcel.

All bearings for this description are based upon the plat of ESTATES OF WHITE'S ADDITION.

The centerline and right-of-way lines for S.E. Kane Drive are as established by Survey No. 57,232.

Doc. 11106v.doc

Date: Friday, June 07, 2002



RENEWAL DATE 06,30,03
DATE OF SIGNATURE 06,12,02

INTERSECTION



S.E. KANE DRIVE

S.E. 7th ST.

S 01°49'51" W

POWELL VALLEY ROAD

S.W. HACIENDA

EXHIBIT "B"
RIGHT-OF-WAY VACATION
AND UTILITY EASEMENT
SE 1/4 OF SE1/4 OF SECTION 11,
T1S, R3E, MULTNOMAH COUNTY, OREGON

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C3	455.00'	170.23'	169.23'	S 14°25'11" E	21°26'08"
C4	375.00'	13.97'	13.96'	N 24°04'15" W	02°08'02"
C5	460.00'	133.03'	132.57'	S 16°51'09" E	16°34'13"
C6	370.00'	11.46'	11.46'	N 24°15'00" W	01°46'31"



LINE	BEARING	DISTANCE
L15	N 88°11'35" W	5.52'
L16	S 01°11'42" W	175.07'
L17	S 88°11'35" E	51.52'
L19	S 01°11'42" W	39.16'

FND. 4 1/4" BRASS DISK
MARKING THE SW CORNER OF
THE L. HALE D.L.C. NO. 62

5' WIDE UTILITY EASEMENT

T.L. 1S3E11DD-3100
DOC. #2001-191666
GLAD 1 LLC

FND. 5/8" IR WITH
YPC MARKED
"G&L PLS 1989"

CL STA 52+68.09

R/W VACATION
3414.5 SQ. FT.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 14, 1978
GARY W. HICKMAN
1678

RENEWAL DATE 06/30/03

DATE OF SIGNATURE 06/12/02

T.L. 1S3E14AA-9100
DOC. #2001-155445

D.L.C. LINE PER
SURVEY NO. 57232

LEGEND

- BOUNDARY LINE
- - - EASEMENT LINE
- /// R/W VACATION

T.L. 1S3E14AA-9000
DOC. #99-143786

T.L. 1S3E14AA-8900
DOC. #95-106742

JOB 11106B
VIEW: V
DATE: 6/7/02

LOT 13

LOT 12

LOT 11

OF WHITE'S ADDITION

06/13/2002 09:03 FAX

TRANSNATIONTITLE

Page 1 of 2

= M E T R O S C A N P R O P E R T Y P R O F I L E =
Multnomah (OR)

OWNERSHIP INFORMATION

Parcel Number : R340019
Ref Parcel Number : 1S3E14AB 100
Old Parcel Number : R99314 1180
Map Number : 141S3E T:01S R:03E S:14 Q:NE
Owner : Hainey James D/Robyn K
CoOwner :
Site Address : 925 NE Kane Dr Gresham 97030
Mail Address : 925 NE Kane Dr Gresham Or 97030
Telephone : Owner: Tenant:

SALES AND LOAN INFORMATION

Transferred : 08/15/2001 Loan Amount : \$152,808
Document # : 1128450 Lender : Sunset Mortgage
Sale Price : \$155,000 Loan Type : Fha
Deed Type : Warranty Interest Rate : Fixed
% Owned : 100 Vesting Type : Married Persons

ASSESSMENT AND TAX INFORMATION

MktLand : \$55,140 Levy Code : 026
MktStructure : \$88,320 01-02 Taxes : \$1,966.81
MktTotal : \$143,460 Exempt Amount :
% Improved : 62 Exempt Type :
AssessedTotal : \$113,930

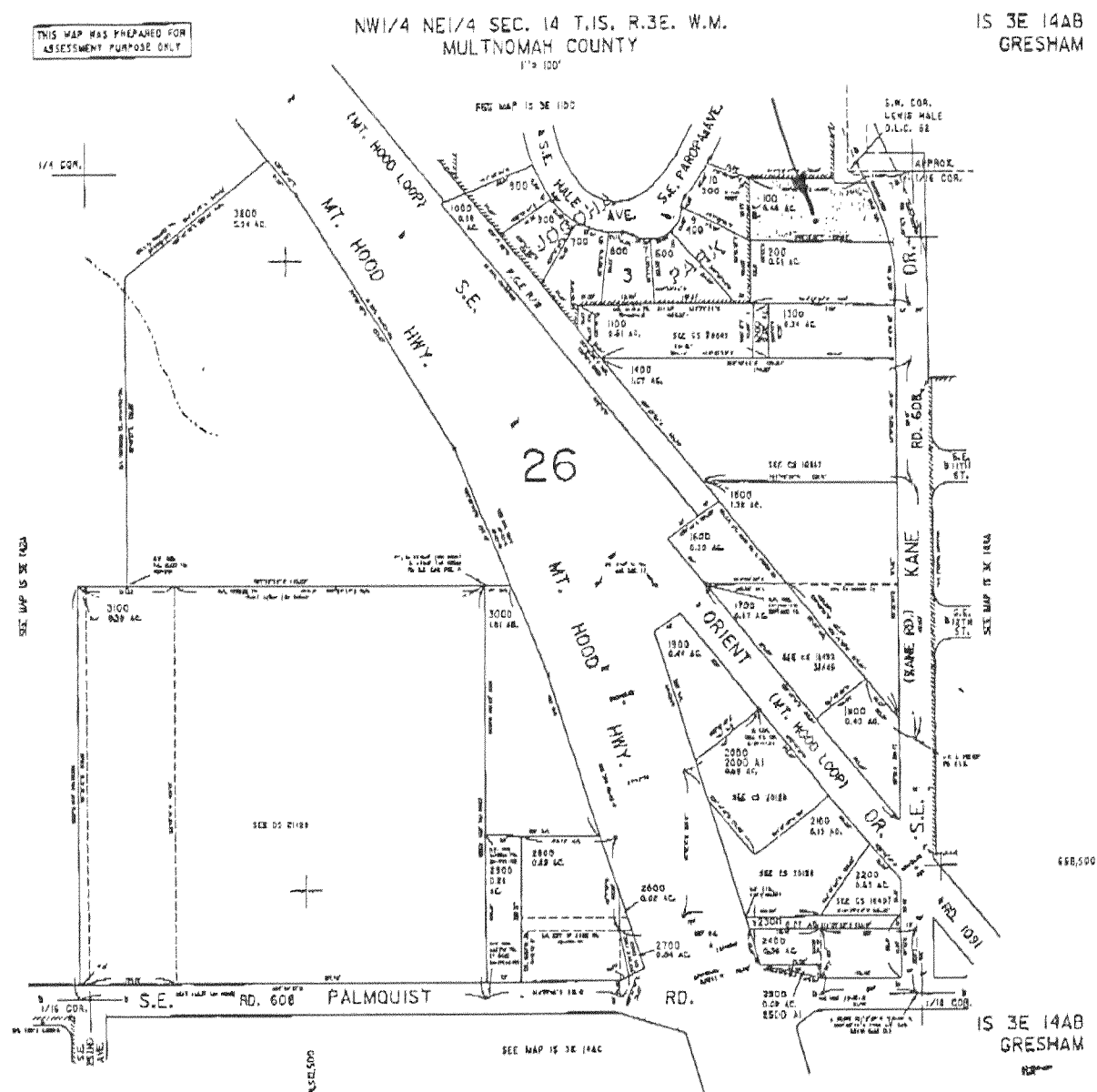
PROPERTY DESCRIPTION

Map Page & Grid : 629 E2
Census : Tract:104.06 Block:4
Improvement Type : B Dwelling (Single)
Zoning : Sr
Subdivision/Plat :
Neighborhood Cd : 049
Land Use : 141 Res, Single Family, Improved
Legal : SECTION 14 1 S 3 E; TL 100 0.46
ACRES MAP 141S3E

Profile-Page 1 of 2

06/13/2002 09:03 FAX

TRANSACTION TITLE



I, ARLENE R. WILLIAMS of 975 SE Kane Dr., Gresham, Oregon,
97030, am the owner of the property legally described as:

SECTION 14 1S 3E, Tax Lot 200 (see Exhibit "C")

I understand that a portion of Kane Dr. as described in the attached Exhibits "A"
(Legal Description) and "B"(Surveyor's Map) is being considered for vacation, and
that my above described property abuts the property to be vacated. The attached
Exhibits "A" and "B" correctly describe my understanding of the request for
vacation and I am in full concurrence with said request.

State of Oregon, County of Multnomah } ss.

This instrument was signed or attested before me on November 16, 2002, by

ARLENE R. WILLIAMS

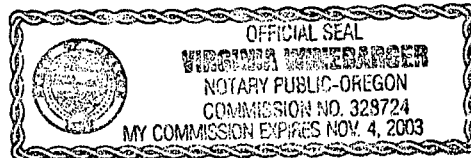
(Print Property Owner Name)

Arlene R. Williams

(Signature of Property Owner)

Virginia Windenberger
Notary Public for Oregon
My commission expires: 11-4-03

Notary Seal }



Exhibits: "A" - Legal Description of Property to be Vacated
"B" - Surveyor's Map of Property to be Vacated
"C" - Tax Map Identifying Owner's Property

EXHIBIT "A"

**RIGHT-OF-WAY VACATION
S.E. KANE DRIVE**

A tract of land located in the southeast quarter of the southeast quarter of Section 11 and the northeast quarter of the northeast quarter of Section 14, Township One South, Range Three East, Willamette Meridian, Multnomah County, Oregon, being more particularly described as follows:

Beginning at the angle point in the S.E. Kane Drive right-of-way line (being 25.00 feet easterly and northerly of the centerline Station 52+68.09 as shown on Survey No. 57,232), said angle point bears North 78°03'57" East a distance of 129.92 feet from the 4 1/4" Brass disk marking the Southwest corner of the L. Hale D.L.C. No. 62; thence following the said northerly right-of-way line, North 88°11'35" West a distance of 51.52 feet; thence leaving said northerly right-of-way line, following the arc of a curve turning to the left having a radius of 375.00 feet, with an arc length of 13.97 feet (chord bears South 24°04'15" East 13.96 feet); thence following the arc of a curve turning to the right having a radius of 455.00 feet, with an arc length of 170.23 feet (chord bears South 14°25'11" East 169.23 feet) to a point on the said easterly right-of-way line; thence following said easterly right-of-way line, North 01°11'42" East a distance of 175.07 feet to the Point of Beginning; having an area of 3,414.5 square feet, 0.08 acres.

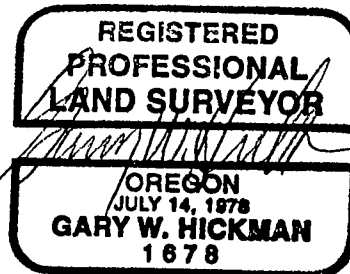
SUBJECT TO: A 5.00 foot wide utility easement lying easterly of and adjoining the southwesterly line of the above described parcel.

All bearings for this description are based upon the plat of ESTATES OF WHITE'S ADDITION.

The centerline and right-of-way lines for S.E. Kane Drive are as established by Survey No. 57,232.

Doc. 11106v.doc

Date: Friday, June 07, 2002



RENEWAL DATE 06/30/03
DATE OF SIGNATURE 06/12/02

INTERSECTION



S.E. KANE DRIVE

POWELL VALLEY ROAD

S.W. HACIENDA

EXHIBIT "B"
RIGHT-OF-WAY VACATION
AND UTILITY EASEMENT

SE 1/4 OF SE1/4 OF SECTION 11,
T1S, R3E, MULTNOMAH COUNTY, OREGON

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C3	455.00'	170.23'	169.23'	S 14°25'11" E	21°26'08"
C4	375.00'	13.97'	13.96'	N 24°04'15" W	02°08'02"
C5	460.00'	133.03'	132.57'	S 16°51'09" E	16°34'13"
C6	370.00'	11.46'	11.46'	N 24°15'00" W	01°46'31"



LINE	BEARING	DISTANCE
L15	N 88°11'35" W	5.52'
L16	S 01°11'42" W	175.07'
L17	S 88°11'35" E	51.52'
L19	S 01°11'42" W	39.16'

FND. 4 1/4" BRASS DISK
MARKING THE SW CORNER OF
THE L. HALE D.L.C. NO. 62

5' WIDE UTILITY EASEMENT

T.L. 1S3E11DD-3100
DOC. #2001-191666
GLAD 1 LLC

P.O.B. VACATION

SECTION LINE PER SURVEY NO. 57232

FND. 5/8" IR WITH
YPC MARKED
"G&L PLS 1989"

CL STA 52+68.09

R/W VACATION
3414.5 SO. FT.

T.L. 1S3E14AA-9100
DOC. #2001-155445

D.L.C. LINE PER
SURVEY NO. 57232

LEGEND

--- BOUNDARY LINE
--- EASEMENT LINE
/// R/W VACATION

T.L. 1S3E14AA-9000
DOC. #99-143786

T.L. 1S3E14AA-8900
DOC. #95-106742

JOB 11106B
VIEW: V
DATE: 6/7/02

LOT 13

LOT 12
LOT 11
OF WHITE'S ADDITION

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 14, 1978
GARY W. HICKMAN
1678

RENEWAL DATE 06/30/03
DATE OF SIGNATURE 06/12/02

11/13/2002 09:57 FAX 503 553 5878

PDX NCS

= M E T R O S C A N P R O P E R T Y P R O F I L E =
Multnomah (OR)

OWNERSHIP INFORMATION

Parcel Number :R340020
Ref Parcel Number :1S3E14AB 200
Old Parcel Number :R99314 1190
Map Number :141S3E T:01S R:03E S:14 Q:NE
Owner :Williams Arlene R
CoOwner :
Site Address :975 NE Kane Dr Gresham 97030
Mail Address :975 NE Kane Dr Gresham Or 97030
Telephone :Owner: Tenant:

SALES AND LOAN INFORMATION

Transferred :07/01/1990 Loan Amount :
Document # :2324-1003 Lender :
Sale Price :\$87,500 Loan Type :
Deed Type :Deed Interest Rate :
% Owned : Vesting Type :

ASSESSMENT AND TAX INFORMATION

MktLand :\$51,490 Levy Code :026
MktStructure :\$96,120 01-02 Taxes :\$2,022.92
MktTotal :\$147,610 Exempt Amount :
% Improved :65 Exempt Type :
AssessedTotal :\$117,180

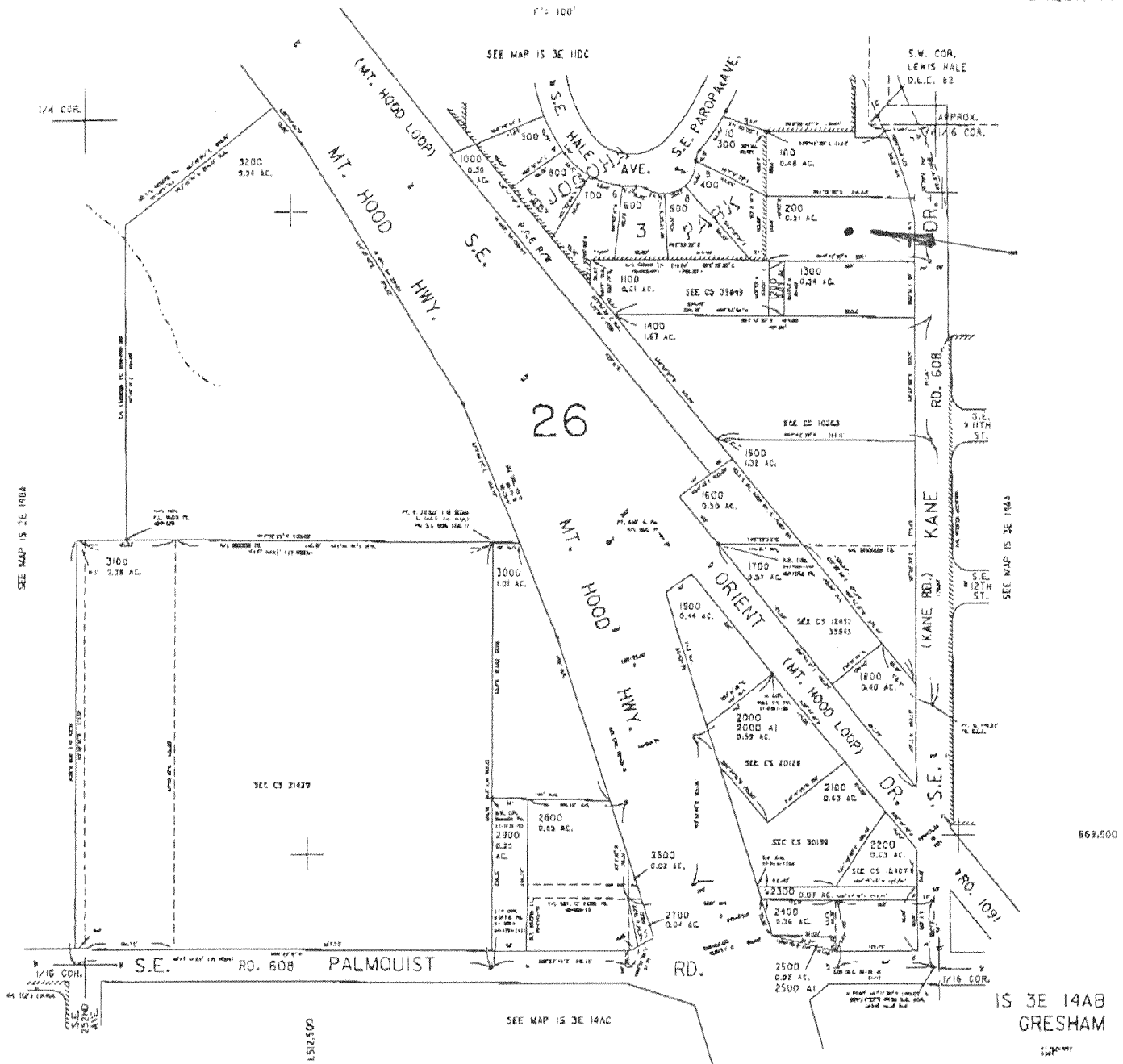
PROPERTY DESCRIPTION

Map Page & Grid :629 E2
Census :Tract:104.06 Block:4
Improvement Type :B Dwelling (Single)
Zoning :Sr
Subdivision/Plat :
Neighborhood Cd :049
Land Use :141 Res, Single Family, Improved
Legal :SECTION 14 1 S 3 E; TL 200 0.51
:ACRES MAP 141S3E
:

Profile-Page 1 of 2

PDX NCS

IS 3E 14AB
GRESHAM



GLAD I LLC (as to an undivided 21% interest as a tenant in common) and CARR ASSOCIATES LLC (as to an undivided 79% interest as a tenant in common) , are the owners of the properties legally described as:

SECTION 11 1S 3E, Tax Lot 3100)

SECTION 14 1S 3E, Tax Lot 9000) (see Exhibit "C")

SECTION 14 1S 3E, Tax Lot 9100)

We understand that a portion of Kane Dr. as described in the attached Exhibits "A" (Legal Description) and "B"(Surveyor's Map) is being considered for vacation, and that our above described property abuts the property to be vacated. The attached Exhibits "A" and "B" correctly describe our understanding of the request for vacation and we are in full concurrence with said request.

State of Oregon, County of Multnomah } ss.

This instrument was signed or attested before me on November 15, 2002, by

GLAD I LLC

BY: [Signature]

(Signature)

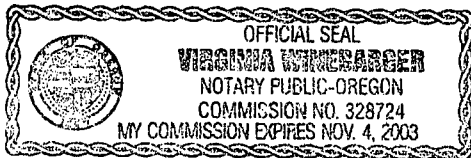
Title: Authorized Signatory

CARR ASSOCIATES LLC

BY: [Signature]

(Signature)

Title: Authorized Signatory



Virginia Winckler
Notary Public for Oregon

My commission expires: 11-4-2003

Notary Seal }

Exhibits: "A" - Legal Description of Property to be Vacated
"B" - Surveyor's Map of Property to be Vacated
"C" - Tax Map Identifying Owner's Property

EXHIBIT "A"

**RIGHT-OF-WAY VACATION
S.E. KANE DRIVE**

A tract of land located in the southeast quarter of the southeast quarter of Section 11 and the northeast quarter of the northeast quarter of Section 14, Township One South, Range Three East, Willamette Meridian, Multnomah County, Oregon, being more particularly described as follows:

Beginning at the angle point in the S.E. Kane Drive right-of-way line (being 25.00 feet easterly and northerly of the centerline Station 52+68.09 as shown on Survey No. 57,232), said angle point bears North $78^{\circ}03'57''$ East a distance of 129.92 feet from the 4 $\frac{1}{4}$ " Brass disk marking the Southwest corner of the L. Hale D.L.C. No. 62; thence following the said northerly right-of-way line, North $88^{\circ}11'35''$ West a distance of 51.52 feet; thence leaving said northerly right-of-way line, following the arc of a curve turning to the left having a radius of 375.00 feet, with an arc length of 13.97 feet (chord bears South $24^{\circ}04'15''$ East 13.96 feet); thence following the arc of a curve turning to the right having a radius of 455.00 feet, with an arc length of 170.23 feet (chord bears South $14^{\circ}25'11''$ East 169.23 feet) to a point on the said easterly right-of-way line; thence following said easterly right-of-way line, North $01^{\circ}11'42''$ East a distance of 175.07 feet to the Point of Beginning; having an area of 3,414.5 square feet, 0.08 acres.

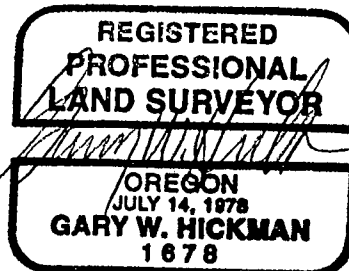
SUBJECT TO: A 5.00 foot wide utility easement lying easterly of and adjoining the southwesterly line of the above described parcel.

All bearings for this description are based upon the plat of ESTATES OF WHITE'S ADDITION.

The centerline and right-of-way lines for S.E. Kane Drive are as established by Survey No. 57,232.

Doc. 11106v.doc

Date: Friday, June 07, 2002



RENEWAL DATE 06/30/03

DATE OF SIGNATURE 06/12/02

INTERSECTION



S.E. KANE DRIVE

S.E. 7th ST.

POWELL VALLEY ROAD

S.W. HACIENDA

EXHIBIT "B"
RIGHT-OF-WAY VACATION
AND UTILITY EASEMENT
SE 1/4 OF SE1/4 OF SECTION 11,
T1S, R3E, MULTNOMAH COUNTY, OREGON

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C3	455.00'	170.23'	169.23'	S 14°25'11" E	21°26'08"
C4	375.00'	13.97'	13.96'	N 24°04'15" W	02°08'02"
C5	460.00'	133.03'	132.57'	S 16°51'09" E	16°34'13"
C6	370.00'	11.46'	11.46'	N 24°15'00" W	01°46'31"



LINE	BEARING	DISTANCE
L15	N 88°11'35" W	5.52'
L16	S 01°11'42" W	175.07'
L17	S 88°11'35" E	51.52'
L19	S 01°11'42" W	39.16'

FND. 4 1/4" BRASS DISK
 MARKING THE SW CORNER OF
 THE L. HALE D.L.C. NO. 62

5' WIDE UTILITY EASEMENT

T.L. 1S3E11DD-3100
 DOC. #2001-191666
 GLAD 1 LLC

FND. 5/8" IR WITH
 YPC MARKED
 "G&L PLS 1989"

CL STA 52+68.09

R/W VACATION
 3414.5 SO. FT.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
 JULY 14, 1978
GARY W. HICKMAN
 1678

RENEWAL DATE 06/30/03
 DATE OF SIGNATURE 06/12/02

T.L. 1S3E14AA-9100
 DOC. #2001-155445

D.L.C. LINE PER
 SURVEY NO. 57232

LEGEND
 --- BOUNDARY LINE
 - - - EASEMENT LINE
 [Hatched Box] R/W VACATION

T.L. 1S3E14AA-9000
 DOC. #99-143786

T.L. 1S3E14AA-8900
 DOC. #95-106742

JOB 11106B
 VIEW: V
 DATE: 6/7/02

LOT 13

LOT 12
 LOT 11
 OF WHITE'S ADDITION

E DRIVE

Oregon Title Insurance Company
 1515 SW Fifth Ave. Suite 840
 Portland, OR 97201
 Phone: (503) 220-8352 Fax (503) 228-8844

PROPERTY PROFILE
 Multnomah (OR)

OWNERSHIP INFORMATION

Parcel # : R339409 Ref Parcel Number: 1S3E11DD 3100
 Map Number : 3456 T: 01S R: 03E S: 11 Q: SE
 Owner : Carr Associates Llc & Glad I Llc
 CoOwner :
 Site Address : Nec/Se Kane & E Powell Gresham
 Mail Address : 633 NW 19Th Ave Portland Or 97209
 Telephone : Owner: 503-227-5302 Tenant:

SALES AND LOAN INFORMATION

Transferred : 06/04/2002 Loan Amount :
 Document # : 2099526 Lender :
 Sale Price : \$1,485,500 Loan Type :
 Deed Type : Warranty Interest Rate :
 % Owned : 100 Vesting Type : Corporation

ASSESSMENT AND TAX INFORMATION

Mkt Land : \$1,198,500 Levy Code : 026
 Mkt Structure : 01-02 Taxes : \$11,657.67
 Mkt Total : \$1,198,500 MAV Total :
 % Improved : Adjusted MAV :
 Exempt Amount : \$332,530 Assessed Total : \$670,350
 Exempt Type : Exception RMV :
 Millrate : 17.3904 Exception AV :

PROPERTY DESCRIPTION

Map Page & Grid :
 Census : Tract: Block:
 Improvement Type : A Vacant Land
 Zoning : Mdr24
 Subdivision/Plat :
 Neighborhood Cd : 926
 Land Use : 770 Other,Multi-Family,Unimproved
 Legal : SECTION 11 1S 3E; TL 3100 5.88
 : ACRES MAP 3456
 :

IMPROVEMENTS

Bedrooms :
 Bathrooms :
 Family Room :
 Kitchen :
 Dining Room :
 Floor Cover :
 Fireplace :
 Cooling :
 Heat Method :
 Heat Source :
 Intercom :
 Building Style :
 Building SF :
 1st Floor SF :
 2nd Floor SF :
 Attic Sq Footage :
 Bsmt Fin SF :
 BsmtUnfinSF :
 Bsmt Total SF :
 Total Living SF :
 Garage SF :
 Pool :
 Deck SF :
 Deck :
 Stories :
 Total Units :
 Class Code :
 Year Built :
 Year Acquired :
 Lot Acres :
 Lot SF :
 Paving Material : Paved
 Electric Service :
 Nuisance : Avg Traffic
 Sewer :
 Foundation :
 Wall Material :
 Roof Material :
 Roof Shape :
 Const Type :

Oregon Title Insurance Company
 1515 SW Fifth Ave. Suite 840
 Portland, OR 97201
 Phone: (503) 220-8352 Fax (503) 228-8844

PROPERTY PROFILE
 Multnomah (OR)

OWNERSHIP INFORMATION

Parcel # : R340031 Ref Parcel Number: 1S3E14AA 9000
 Map Number : 141S3E T: 01S R: 03E S: 14 Q: NE
 Owner : Carr Associates Llc & Glad I Llc
 CoOwner :
 Site Address : 970 SE Kane Dr Gresham 97080
 Mail Address : 633 NW 19Th Ave Portland Or 97209
 Telephone : Owner: 503-227-5302 Tenant:

SALES AND LOAN INFORMATION

Transferred : 06/04/2002 Loan Amount :
 Document # : 2099526 Lender :
 Sale Price : \$1,485,496 Loan Type :
 Deed Type : Deed Interest Rate :
 % Owned : 100 Vesting Type :

ASSESSMENT AND TAX INFORMATION

Mkt Land : \$68,000 Levy Code : 026
 Mkt Structure : 01-02 Taxes : \$1,150.18
 Mkt Total : \$68,000 MAV Total :
 % Improved : Adjusted MAV :
 Exempt Amount : Assessed Total : \$68,000
 Exempt Type : Exception RMV :
 Millrate : 17.3904 Exception AV :

PROPERTY DESCRIPTION

Map Page & Grid : 629 E4
 Census : Tract: 104.09 Block: 1
 Improvement Type : B Dwelling (Single)
 Zoning : Mdr
 Subdivision/Plat :
 Neighborhood Cd : 926
 Land Use : 770 Other, Multi-Family, Unimproved
 Legal : SECTION 14 1 S 3 E; TL 9000 0.35
 : ACRES MAP 141S3E
 :

IMPROVEMENTS

Bedrooms : 2
 Bathrooms :
 Family Room :
 Kitchen : 1
 Dining Room : 1
 Floor Cover :
 Fireplace :
 Cooling :
 Heat Method :
 Heat Source : Oil
 Intercom :
 Building Style :
 Building SF :
 1st Floor SF :
 2nd Floor SF :
 Attic Sq Footage :
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 Bsmt Total SF :
 Total Living SF :
 Garage SF :
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 Deck :
 Stories : 1
 Total Units :
 Class Code : 3 A
 Year Built :
 Year Acquired :
 Lot Acres :
 Lot SF :
 Paving Material : Unpaved
 Electric Service :
 Nuisance : Lt Traffic
 Sewer :
 Foundation :
 Wall Material :
 Roof Material :
 Roof Shape :
 Const Type :

Oregon Title Insurance Company
 1515 SW Fifth Ave. Suite 840
 Portland, OR 97201
 Phone: (503) 220-8352 Fax (503) 228-8844

PROPERTY PROFILE
 Multnomah (OR)

OWNERSHIP INFORMATION

Parcel # : R340004 Ref Parcel Number: 1S3E14AA 9100
 Map Number : 141S3E T: 01S R: 03E S: 14 Q: NE
 Owner : Carr Associates Llc & Glad I Llc
 CoOwner :
 Site Address : 920 SE Kane Dr Gresham 97080
 Mail Address : 633 NW 19Th Ave Portland Or 97209
 Telephone : Owner: 503-227-5302 Tenant:

SALES AND LOAN INFORMATION

Transferred : 06/04/2002 Loan Amount :
 Document # : 2099526 Lender :
 Sale Price : \$1,485,496 Loan Type :
 Deed Type : Deed Interest Rate :
 % Owned : 100 Vesting Type :

ASSESSMENT AND TAX INFORMATION

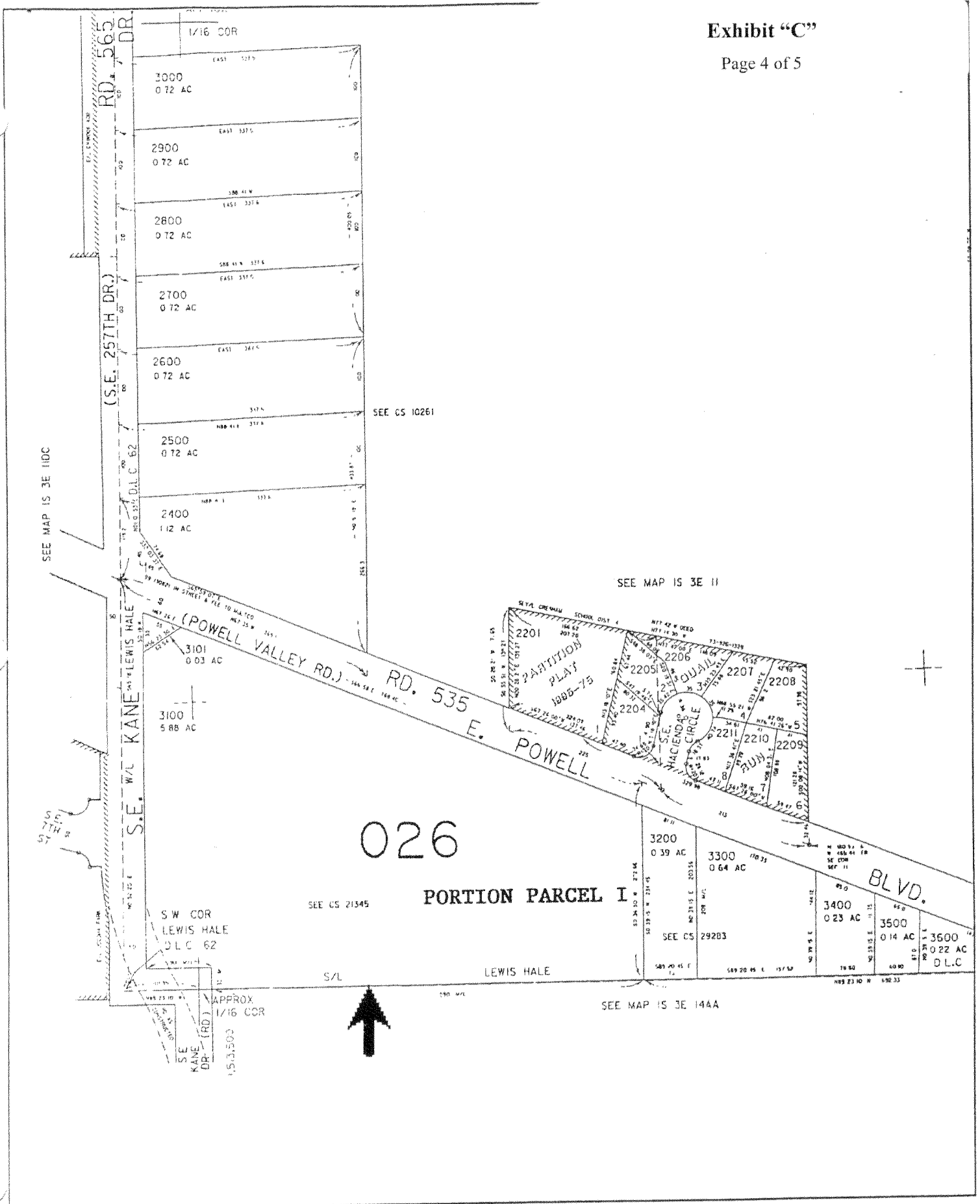
Mkt Land : \$85,000 Levy Code : 026
 Mkt Structure : 01-02 Taxes : \$1,437.72
 Mkt Total : \$85,000 MAV Total :
 % Improved : Adjusted MAV :
 Exempt Amount : Assessed Total : \$85,000
 Exempt Type : Exception RMV :
 Millrate : 17.3904 Exception AV :

PROPERTY DESCRIPTION

Map Page & Grid : 629 E4
 Census : Tract: 104.09 Block: 1
 Improvement Type : B Dwelling (Single)
 Zoning : Mdr
 Subdivision/Plat :
 Neighborhood Cd : 926
 Land Use : 770 Other,Multi-Family,Unimproved
 Legal : SECTION 14 1 S 3 E; TL 9100 0.41
 : ACRES MAP 141S3E
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IMPROVEMENTS

Bedrooms : 2
 Bathrooms :
 Family Room :
 Kitchen : 1
 Dining Room :
 Floor Cover :
 Fireplace :
 Cooling :
 Heat Method :
 Heat Source : Electric
 Intercom :
 Building Style :
 Building SF :
 1st Floor SF :
 2nd Floor SF :
 Attic Sq Footage :
 Bsmt Fin SF :
 BsmtUnfinSF :
 Bsmt Total SF :
 Total Living SF :
 Garage SF :
 Pool :
 Deck SF :
 Deck :
 Stories : 1
 Total Units :
 Class Code : 3 A
 Year Built :
 Year Acquired :
 Lot Acres :
 Lot SF :
 Paving Material : Unpaved
 Electric Service :
 Nuisance : Avg Traffic
 Sewer :
 Foundation :
 Wall Material :
 Roof Material :
 Roof Shape :
 Const Type :



MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

NE1/4 NE1/4 SEC. 14 T.1S. R.3E. W.M.
MULTNOMAH COUNTY

Exhibit "C"

Page 5 of 5

S.W. COR.
LEWIS HALE
D.L.C. 62

APPROX.
1/16 COR.

S/L LEWIS HALE D.L.C. 62

PARCEL II

III

PORTION PARCEL I

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GLAD I LLC

633 NW 19th Ave.
Portland, OR 97209
(503) 227 - 6501

Sterling Savings Bank
Portland, OR

10055

28-7174/3251

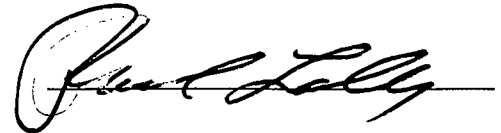
PAY ***** ONE THOUSAND SIXTY FIVE AND 00/100 DOLLARS

TO THE
ORDER OF

11/15/02

\$1,065.00***

Multnomah County



⑈010055⑈ ⑆325171740⑆ 59991362716⑈

THE REVERSE SIDE OF THIS DOCUMENT INCLUDES AN ARTIFICIAL WATERMARK. HOLD AT ANGLE TO VIEW.

DATE:11/15/02 CK#:10055 TOTAL:\$1,065.00*** BANK:ssbgla - Sterling Bank Checking - GLAD
PAYEE:Multnomah County(m8551)

Property Account	(Date)Invoice	Description	Amount
gla 7200-0000	111502 glad 1	Kane Rd. right of way vacation	1,065.00
			<hr/> 1,065.00

**MULTNOMAH COUNTY - DEPARTMENT OF ENVIRONMENTAL SERVICES
TRANSPORTATION DIVISION**

1600 SE 190th Avenue
Portland, Oregon 97233

No. 0165

12/9, 2002

Received of Ossey Development Corp.

One thousand Sixty Five + 00/100

Dollars

For Partial Payment For Kane Rd STREET VACATION

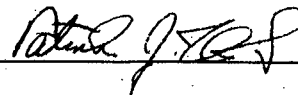
REC. ORDER NO. 802080

\$ _____
\$ _____
Total \$ 1065.00 CK. No.

10055

Department of Environmental Services

By



AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: April 10, 2003

Agenda Item #: R-5

Est. Start Time: 10:10 AM

Date Submitted: 03/31/03

Requested Date: 4/10/03

Time Requested: 5 minutes

Department: Non-Departmental

Division: Chair's Office

Contact/s: Duke Shepard

Phone: 503 988-5137

Ext.: 85137

I/O Address: 503/600

Presenters: Duke Shepard, Dave Boyer

Agenda Title: Resolution authorizing the issuance of Industrial Development Revenue Bonds by the State of Oregon to Aero Portland LLC.

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

- 1. What action are you requesting from the Board? What is the department/agency recommendation?** Adoption of proposed resolution.
- 2. Please provide sufficient background information for the Board and the public to understand this issue.** IDR's are part of the general class of municipal bonds and are, in some cases, exempt from federal income tax. In Oregon the bonds are, in some cases, exempt from Oregon income tax to the purchaser. This makes them a competitive financing tool for expanding companies. Generally, the state (in this case through the Oregon Economic and Community Development Department (OECDD)) will issue bonds for manufacturing, resource utilization, warehousing, and headquarter buildings, and research and development facilities.

Aero Portland, LLC (*the Company*) is a limited liability company whose sole member is Cargo Acquisition Company, LLC (*CAC*). Local address is 5330 NE Courier Court,

Portland, OR 97218. The Company was organized in 1998 for the purpose of acquiring a leasehold interest in an air cargo warehouse of approximately 58,000 square feet at Portland International Airport. The members of CAC are Greenfield Cargo Associates, LLC and Aeroterm, LLC. Aeroterm US, Inc manages the Project, along with all other US air cargo projects of CAC and related companies. Aeroterm US, Inc. and its Canadian affiliate manage the largest portfolio of on-airport air cargo properties in North America, with 17 facilities in the U.S. and Canada that contain over 5.0 million square feet of air warehouse and aircraft parking ramp.

The Project is located on real property owned by Port of Portland at Portland International Airport, Portland OR. The entire \$6,822,176 facility will be dedicated to transportation or freight.

The Project consists of an airside facility with 89,804 square feet of warehouse space and office space sited on approximately 550,000 square feet (approximately 12.5 acres) including 298,996 square feet of paved area for aircraft parking, plus additional truck and other vehicular parking and storage areas for operations-related equipment. The majority of equipment located at the Project is owned and provided by airline and other tenants of the Project and is not proposed to be financed by OECDD issued bonds. The Company added approximately 32,000 square feet of warehouse space and office space to the Project in 2001.

The Project is used by air cargo airlines and related companies for the off-loading, sortation and distribution of air cargo arriving at Portland International Airport by truck and air. Such transportation is inbound and outbound to the Portland area, as well as in transit for other destinations. The United States Customs Department also operates in facilities provided by the Project.

The Company currently leases the facility to major national air cargo companies. These tenants currently employ an estimated 50 full-time workers. The Company is projecting that the tenants will create an additional ten to twelve new full-time positions over the next two years. Ten new positions translate into a \$350,000 increase in payroll at the facility.

It will not be a federally tax-exempt bond issue.

The project will support the objective of the Oregon Economic and Community Development Commission's New Directions policy including supporting existing Oregon businesses.

The Port of Portland recommended this project to the OECDD.

A requirement for issuance of IDRB's is that the Board of Commissioners in the county in which the project is located must authorize the bonds by formal resolution. Attached is a request from the Regional Director of OECDD for such a resolution in this case.

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

There is no financial impact on the County. These bonds are general obligations of the issuer, not of the state or county. They are to be repaid from the revenues generated by the specific project they were issued to fund, and are the obligation of the corporate borrower.

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

If a budget modification, explain:

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

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain:

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

If grant application/notice of intent, explain:

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

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

Legal: Issuance of IDRB's is controlled by ORS 285B.320 to ORS 285B.377

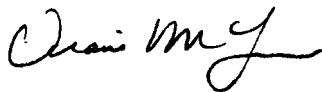
Policy: County Policy supports retention and expansion of local businesses and economic development.

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

The Finance Committee of the Oregon Economic and Community Development Commission has approved the project, pending the approval of the Multnomah County Board of Commissioners and the Portland Development Commission.

Required Signatures:

Department/Agency Director:



Date: 03/31/03

County Attorney

By: _____

Date:

Budget Analyst

By: _____

Date:

Dept/Countywide HR

By: _____

Date:

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Support for Issuance of Industrial Development Revenue Bonds by the State of Oregon to Aero Portland, LLC for an Air Cargo Business Project at Portland International Airport

The Multnomah County Board of Commissioners Finds:

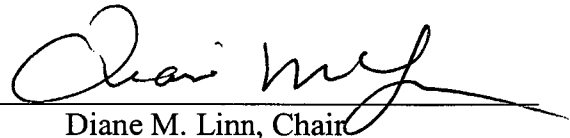
- a. Business activity by Aero Portland, LLC at Portland International Airport would foster economic growth and legislative policy as set forth in ORS 285B.320.
- b. The Portland Development Commission supports the project, as it aligns with PDC's recently completed Economic Development strategy that specifically encourages the retention and expansion of distribution and logistics related businesses.
- c. The Portland Development Commission confirms that the property in question is zoned General Industrial, which is an appropriate land use designation for this site, and that it conforms to the Port of Portland's development plan for the airport.
- d. In compliance with ORS 285B.332, this Board finds that the project by Aero Portland, LLC in the City of Portland, Multnomah County, Oregon, would be in the best interests of the citizens of Multnomah County.

The Multnomah County Board of Commissioners Resolves:

To request through this resolution, that the Economic Development Commission and the State of Oregon undertake to finance an economic development program, specifically the Aero Portland, LLC project, in Multnomah County, through the issuance of revenue bonds as provided by ORS 285B.320 to ORS 285B.377.

ADOPTED this 10th day of April, 2003.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON



Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, ACTING COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By Sandra N. Duffy
Sandra N. Duffy, Assistant County Attorney

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 03-051

Support for Issuance of Industrial Development Revenue Bonds by the State of Oregon to Aero Portland, LLC for an Air Cargo Business Project at Portland International Airport

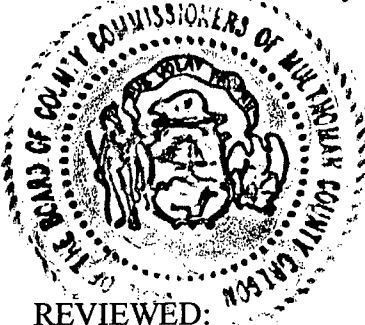
The Multnomah County Board of Commissioners Finds:

- a. Business activity by Aero Portland, LLC at Portland International Airport would foster economic growth and legislative policy as set forth in ORS 285B.320.
- b. The Portland Development Commission supports the project, as it aligns with PDC's recently completed Economic Development strategy that specifically encourages the retention and expansion of distribution and logistics related businesses.
- c. The Portland Development Commission confirms that the property in question is zoned General Industrial, which is an appropriate land use designation for this site, and that it conforms to the Port of Portland's development plan for the airport.
- d. In compliance with ORS 285B.332, this Board finds that the project by Aero Portland, LLC in the City of Portland, Multnomah County, Oregon, would be in the best interests of the citizens of Multnomah County.

The Multnomah County Board of Commissioners Resolves:

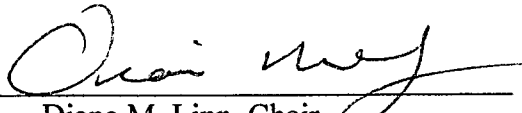
To request through this resolution, that the Economic Development Commission and the State of Oregon undertake to finance an economic development program, specifically the Aero Portland, LLC project, in Multnomah County, through the issuance of revenue bonds as provided by ORS 285B.320 to ORS 285B.377.

ADOPTED this 10th day of April, 2003.

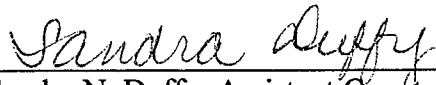


REVIEWED:

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Diane M. Linn, Chair

AGNES SOWLE, ACTING COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Sandra N. Duffy, Assistant County Attorney

AGENDA PLACEMENT REQUEST

BUD MOD #: NOND 04

APPROVED MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-6 DATE 04.10.03
DEB BOGSTAD, BOARD CLERK

Board Clerk Use Only:

Meeting Date: April 10, 2003
Agenda Item #: R-6
Est. Start Time: 10:15 AM
Date Submitted: 03/14/03

Requested Date: April 10, 2003

Time Requested: 5 minutes

Department: Non-Departmental

Division: CCFC

Contact/s: Aimée Ortiz

Phone: 503 988-4149

Ext.: 84149

I/O Address: 166/1075

Presenters: Aimée Ortiz / Julie Neburka

Agenda Title: Budget Modification to recognize actual grant balances.

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

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

Approval. CCFC recommends approval of this budget modification recognizing actual grant balances.

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

This budmod recognizes balances in Healthy Start after FY02 year end close and recognizes a currently approved extension for the Early Learning Opportunities Act (ELOA) grant. The adopted budget was an estimate and this budmod reflects the actual balances of the grant awards. ELOA pass-thru services are increased by \$292,801 for the grant period recently extended through June 30, 2003. Healthy Start professional services & personnel are increased by \$53,276 for the grant period ending June 30, 200.

This modification also recognizes miscellaneous donations of \$6,500 for the Early Childhood Advocates Forum.

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

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

If a budget modification, explain:

- ❖ **What revenue is being changed and why?**
Healthy Start to recognize balance after FY02 year end close.
Early Learning Opportunities Act (ELOA) to recognize grant extension.
Miscellaneous donations for the Early Childhood Forum.
- ❖ **What budgets are increased/decreased?**
CCFC budget is increased.
- ❖ **What do the changes accomplish?**
The changes bring the budgeted amount into balance with actuals.
- ❖ **Do any personnel actions result from this budget modification? Explain.**
No
- ❖ **Is the revenue one-time-only in nature?**
Healthy Start is on-going. ELOA is one-time-only. Donations are one-time-only.
- ❖ **If a grant, what period does the grant cover?**
ELOA has been extended through June 30, 2003. Healthy Start is through June 30, 2003.
- ❖ **When the grant expires, what are funding plans?**
There are no plans to continue the services funded by ELOA. Healthy Start should be renewed by the State for continuing service.

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain:

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

If grant application/notice of intent, explain:

- ❖ **Who is the granting agency?**

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

4. Explain any legal and/or policy issues.

N/A

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

N/A

Required Signatures:

Department/Agency Director: Sue Cameron

Date: 03/11/03

County Attorney

By:

Date:

Budget Analyst

By: Julie Neburka

Date: 03/11/03

Dept/Countywide HR

By:

Date:

BUDGET MODIFICATION Nond 04
EXPENDITURES & REVENUES

Budget Fiscal Year: 02/03

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

Ln No.	Fund Center	Fund Code	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
			Internal Order	Cost Center	WBS Element						
1	10-50	32028			CCFC OUT EC ELOA	50170	(229,822)	(522,623)	(292,801)		
2	10-50	32028			CCFC OUT EC ELOA	60160	229,822	522,623	292,801		CCIP & PCDS
3	10-50	49010			CCFC OUT EC DNTS	50300	0	(6,500)	(6,500)		
4	10-50	49010			CCFC OUT EC DNTS	60240	0	6,500	6,500		Contribution for Early Childhood Forum
5	10-50	32005			CCFC OUT EC HS	50180	(21,828)	(75,104)	(53,276)		
6	10-50	32005			CCFC OUT EC HS	60000	21,358	49,634	28,276		Research & Evaluation
7	10-50	32005			CCFC OUT EC HS	60170	0	25,000	25,000		Technical Assistance
8								0			
9								0			
10								0			
11								0			
12								0			
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14								0			
15								0			
16								0			
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22								0			
23								0			
24								0			
25								0			
26								0			
27								0			
28								0			
29								0			
									0	0	Total - Page 1
									0	0	GRAND TOTAL

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: April 10, 2003

Agenda Item #: R-7

Est. Start Time: 10:20 AM

Date Submitted: 03/14/03

Requested Date: April 10, 2003

Time Requested: 15 minutes

Department: DBCS

Division: Land Use & Transportation Program

Contact/s: Dan Brown, P.E., Roadway Engineering Services Manager

Phone: 503-988-5050 **Ext.:** 29633 **I/O Address:** 455/2nd Floor

Presenters: Harold Lasley, P.E., Director of Transportation

Agenda Title: Resolution Accepting the Transfer of Jurisdiction of a Portion of NE Wistful Vista Drive, a City Street, from the City of Fairview as Authorized under ORS 368.062

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

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

Enact a Resolution to accept the transfer of jurisdiction from the City of Fairview to the County of a portion of NE Wistful Vista Drive. The Director of Transportation recommends that the Board accept jurisdiction of this portion of NE Wistful Vista Drive.

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

The County completed the construction of NE 207th Ave. in 1998. This Resolution completes the acquisition of right of way for NE 207th Ave.

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

Acceptance of transfer of Wistful Vista Drive has no financial impact on the County. Wistful Vista Drive is an unimproved right of way over which 207th Avenue is constructed.

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

If a budget modification, explain:

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

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain:

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

If grant application/notice of intent, explain:

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

4. Explain any legal and/or policy issues.

NE Wistful Vista Drive is a Local Access Road under the jurisdiction of the City of Fairview. This portion of NE Wistful Vista Drive lies within the proposed right of way for NE 207th Ave. This Resolution makes this portion of NE Wistful Vista Drive a part of the proposed right-of-way for NE 207th Ave. in accordance with ORS 368.062(5) and (7).

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

The City of Fairview enacted Resolution No. 1-2003 on January 15, 2003, pursuant to ORS 368.062, for jurisdictional transfer of NE Wistful Vista Drive to Multnomah County for purposes of providing Multnomah County full right of way for NE 207th Avenue.

Required Signatures:

Department/Agency Director: *M. Cecilia Johnson* Date: 03/13/03

Budget Analyst

By:

Date:

Dept/Countywide HR

By:

Date:

GKRJ4159.DOC (3510)

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Accepting the Transfer of Jurisdiction of a Portion of NE Wistful Vista Drive, a City Street, from the City of Fairview as authorized under ORS 368.062

The Multnomah County Board of Commissioners Finds:

- a. The County has recently completed construction of NE 207th Avenue.
- b. The right of way of the newly constructed NE 207th overlaps a portion of the unimproved right of way of NE Wistful Vista Drive, a street within the jurisdictional control of the City of Fairview.
- c. The County desires to hold jurisdiction over all the right of way necessary to establish the recently constructed NE 207th as a county road, and the transfer of jurisdiction of a portion of NE Wistful Vista Drive is required to complete County right of way.
- d. The City is now offering the transfer to the County of jurisdiction over the portion of NE Wistful Vista Drive necessary to establish 207th as a county road, that portion being described as follows:

A portion of NE Wistful Vista Drive (From the west right-of-way line of NE 207th Ave., to the east right-of-way line of NE 207th Ave., as more particularly described in the attached Exhibits A and B.)

- e. The City posted and published notice and held a public hearing in accordance with ORS 368.062; and
- f. The City, on January 15, 2003, by Resolution 1-2003 of its Council, authorized the surrender and transfer of jurisdiction of the above-described portion of NE Wistful Vista Drive to the County, and
- g. The County's Land Use and Transportation Program recommends the Board accept this transfer of jurisdiction of the above described property and finds it to be in the public interest.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 03-052

Accepting the Transfer of Jurisdiction of a Portion of NE Wistful Vista Drive, a City Street, from the City of Fairview as Authorized under ORS 368.062

The Multnomah County Board of Commissioners Finds:

- a. The County has recently completed construction of NE 207th Avenue.
- b. The right of way of the newly constructed NE 207th overlaps a portion of the unimproved right of way of NE Wistful Vista Drive, a street within the jurisdictional control of the City of Fairview.
- c. The County desires to hold jurisdiction over all the right of way necessary to establish the recently constructed NE 207th as a county road, and the transfer of jurisdiction of a portion of NE Wistful Vista Drive is required to complete County right of way.
- d. The City is now offering the transfer to the County of jurisdiction over the portion of NE Wistful Vista Drive necessary to establish 207th as a county road, that portion being described as follows:

A portion of NE Wistful Vista Drive (From the west right-of-way line of NE 207th Ave., to the east right-of-way line of NE 207th Ave., as more particularly described in the attached Exhibits A and B.)

- e. The City posted and published notice and held a public hearing in accordance with ORS 368.062; and
- f. The City, on January 15, 2003, by Resolution 1-2003 of its Council, authorized the surrender and transfer of jurisdiction of the above-described portion of NE Wistful Vista Drive to the County, and
- g. The County's Land Use and Transportation Program recommends the Board accept this transfer of jurisdiction of the above described property and finds it to be in the public interest.

The Multnomah County Board of Commissioners Resolves:

1. The Board finds that it is necessary and expedient and in the best interest of the public to accept this transfer of jurisdiction of the portion of NE Wistful Vista Drive described in Exhibit A to be incorporated into NE 207th and established as a county road.

ADOPTED this 10th day of April, 2003.

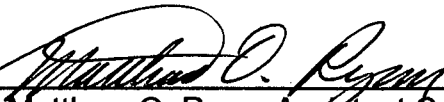


BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, ACTING COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Matthew O. Ryan, Assistant County Attorney

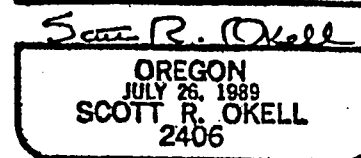
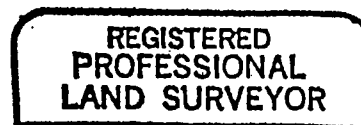
GKRJ4146.DOC (3510)

EXHIBIT A

A parcel of land, situated in the Southwest One-quarter of Section 28, Township 1 North, Range 3 East, W.M., Multnomah County, Oregon, being more particularly described as follows:

Commencing at the S.E. Corner of the Zimmerman D.L.C. No. 39; thence $N02^{\circ}01'52''E$ along the East line of said Zimmerman D.L.C., a distance of 151.68 feet to the point of intersection with the South line of a 100 foot-wide strip of land as described in a Multnomah County Board of County Commissioners ORDER, recorded in Book 854, Page 472, recorded on July 25, 1944, in Multnomah County Deed Records, said point of intersection also being the point of beginning of the parcel to be described; thence $N75^{\circ}44'40''W$ along the South line of said 100 foot wide strip, a distance of 192.90 feet, to a point being the N.W. corner of a tract of land conveyed to Multnomah County by a deed recorded on Dec. 21, 1992, in Book 2627, Page 1011, Multnomah County Deed Records; thence $N35^{\circ}07'13''W$, a distance of 153.59 feet, to a point on the North line of said 100.00 foot wide strip, said point being the S.W. corner of a tract of land conveyed to Multnomah County by a deed recorded on August 25, 1992, in Book 2580, Page 1495, Multnomah County Deed Records; thence $S75^{\circ}44'40''E$, along the North line of said 100.00 foot wide strip, a distance of 258.00 feet to a point being the S.E. corner of a tract of land conveyed to Multnomah County by a deed recorded on August 25, 1992, in Book 2580, Page 1495, Multnomah County Deed Records; thence $S12^{\circ}59'01''E$, a distance of 112.48 feet to the point of beginning.

Containing 22,545 square feet, more or less



RENEWS: 12/31/2002

As shown on the attached EXHIBIT "B", herein made a part of this document. In the event of a conflict or discrepancy between the map as shown on the EXHIBIT "B" and the written legal description, the written legal description shall prevail.

NO SCALE



AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: April 10, 2003

Agenda Item #: R-8

Est. Start Time: 10:25 AM

Date Submitted: 03/13/03

Requested Date: April 10, 2003

Time Requested: 15 minutes

Department: DBCS

Division: Land Use & Transportation Program

Contact/s: Dan Brown, P.E., Roadway Engineering Services Manager

Phone: 503-988-5050

Ext.: 29633

I/O Address: 455/2nd Floor

Presenters: Harold Lasley, P.E., Director of Transportation

Agenda Title: Establishment of NE 207th Ave., as County Road No. 4998

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

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

Enact Resolution to Establish NE 207th Ave. as County Road No. 4998. The County Engineer recommends that the Board establish NE 207th Ave. as a county road.

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

Multnomah County completed the construction of NE 207th Ave. in 1998. The Resolution to Establish NE 207th Ave. as a County Road fulfills the County's requirements in accordance with ORS 368.106.

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

As a County road, NE 207th Ave. is eligible for Gas Tax revenue expenditures for ongoing maintenance and repair.

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

If a budget modification, explain:

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

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain:

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

If grant application/notice of intent, explain:

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

4. Explain any legal and/or policy issues.

ORS 368.106 requires that the County enact an Order or Resolution to establish a road as a County Road. This Resolution satisfies this requirement.

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

City of Fairview enacted a Resolution to transfer the portion of NE Wistful Vista Drive that NE 207th Ave. crosses to the County.

Required Signatures:

Department/Agency Director: M. Cecilia Johnson Date: 03/13/03

Budget Analyst

By:

Date:

Dept/Countywide HR

By:

Date:

GKRJ4160.DOC (3510)

EXHIBIT A

A parcel of land, situated in the Southwest One-quarter of Section 28, Township 1 North, Range 3 East, W.M., Multnomah County, Oregon, being more particularly described as follows:

Commencing at the S.E. Corner of the Zimmerman D.L.C. No. 39; thence N02°01'52"E along the East line of said Zimmerman D.L.C., a distance of 151.68 feet to the point of intersection with the South line of a 100 foot-wide strip of land as described in a Multnomah County Board of County Commissioners ORDER, recorded in Book 854, Page 472, recorded on July 25, 1944, in Multnomah County Deed Records, said point of intersection also being the point of beginning of the parcel to be described; thence N75°44'40"W along the South line of said 100 foot wide strip, a distance of 192.90 feet, to a point being the N.W. corner of a tract of land conveyed to Multnomah County by a deed recorded on Dec. 21, 1992, in Book 2627, Page 1011, Multnomah County Deed Records; thence N35°07'13"W, a distance of 153.59 feet, to a point on the North line of said 100.00 foot wide strip, said point being the S.W. corner of a tract of land conveyed to Multnomah County by a deed recorded on August 25, 1992, in Book 2580, Page 1495, Multnomah County Deed Records; thence S75°44'40"E, along the North line of said 100.00 foot wide strip, a distance of 258.00 feet to a point being the S.E. corner of a tract of land conveyed to Multnomah County by a deed recorded on August 25, 1992, in Book 2580, Page 1495, Multnomah County Deed Records; thence S12°59'01"E, a distance of 112.48 feet to the point of beginning.

Containing 22,545 square feet, more or less

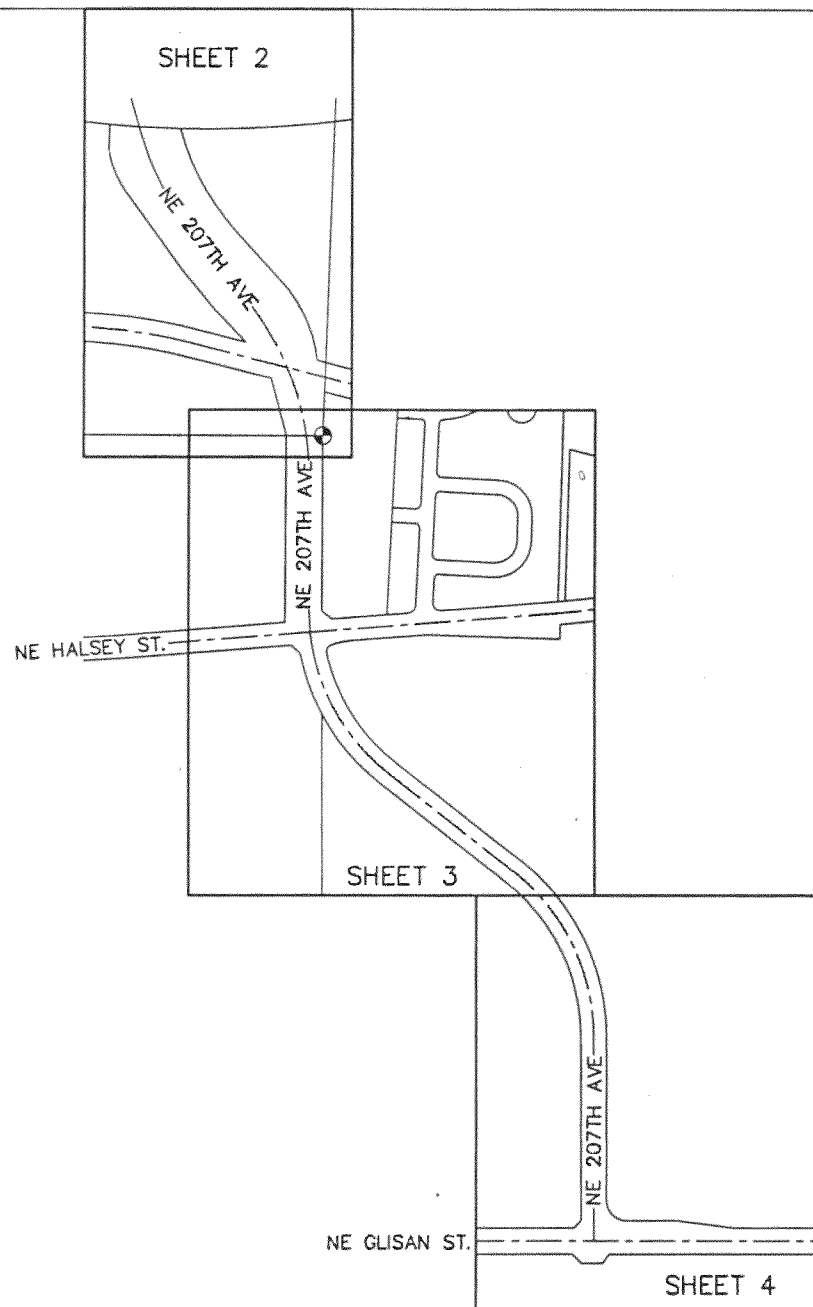
As shown on the attached EXHIBIT "B", herein made a part of this document. In the event of a conflict or discrepancy between the map as shown on the EXHIBIT "B" and the written legal description, the written legal description shall prevail.

SE1/4 SW1/4 SEC. 28 T.1N R.3E. W.M.
MULTNOMAH COUNTY

EXHIBIT B

NO SCALE





RIGHT-OF-WAY MAP

NE 207th AVENUE - COUNTY ROAD NO. 4998

SITUATED IN THE SW 1/4 OF SECTION 28 AND
THE N 1/2 OF SECTION 33,
TOWNSHIP 1 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN,
CITY OF FAIRVIEW AND THE CITY OF WOOD VILLAGE,
MULTNOMAH COUNTY, OREGON

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert A. Hoyden

OREGON
JULY 18, 1971
ROBERT A. HOYDEN
954

RENEWAL DATE: 6/30/2003



MULTNOMAH COUNTY
DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES
TRANSPORTATION DIVISION / COUNTY SURVEYOR'S OFFICE
1600 S.E. 160th Ave. PORTLAND, OR 97233

NE 207TH AVE. - STA: 103+62.58 to STA: 147+68.77

ROBERT A. HOYDEN, P.L.S. COUNTY SURVEYOR

Drafted: KSH Checked: SRO/RAH

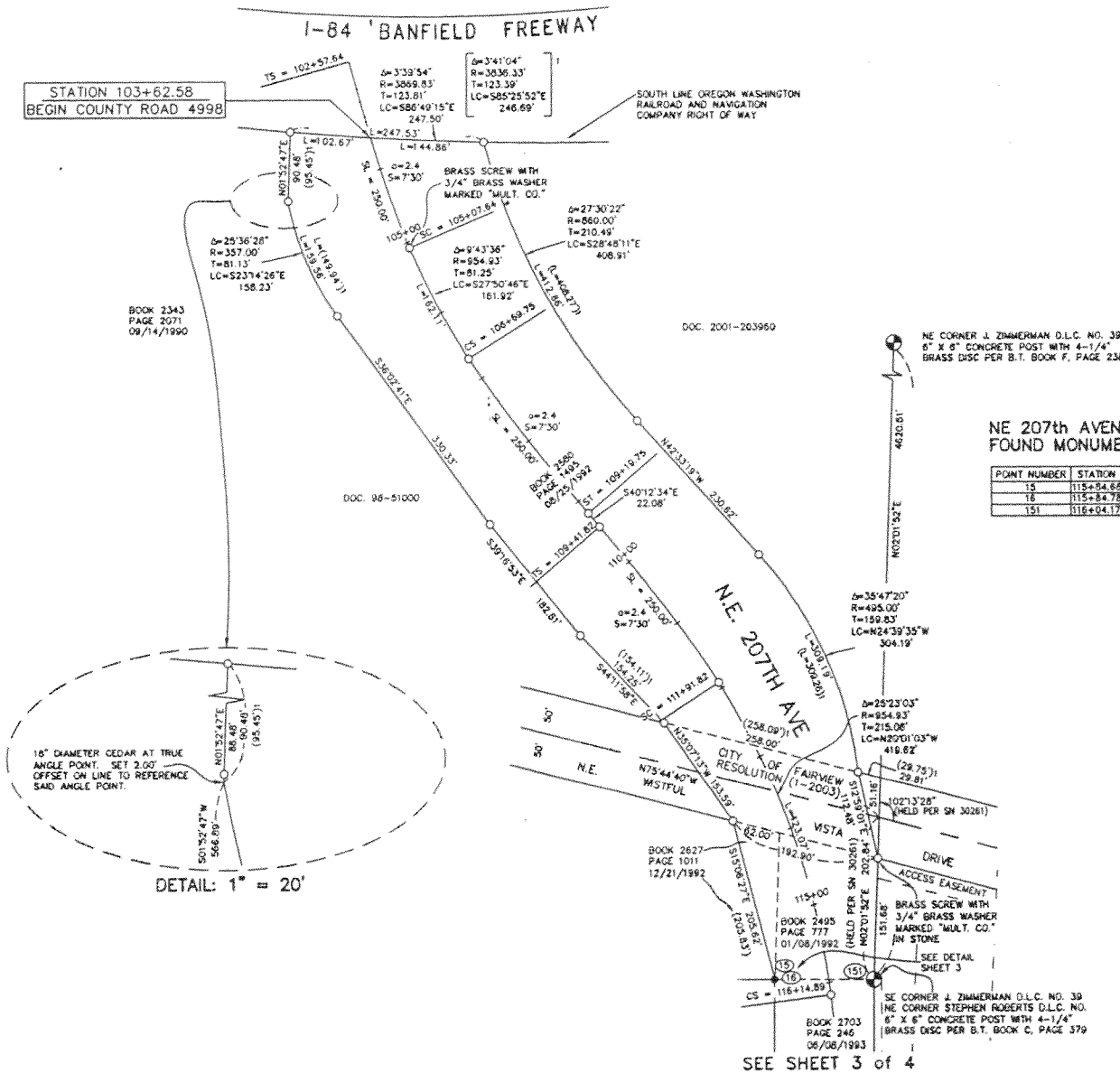
Date: 7/25/2002 Scale: 1" = 100'

Sht 1 of 4

RIGHT-OF-WAY MAP

NE 207th AVENUE - COUNTY ROAD NO. 4998

SITUATED IN THE SW 1/4 OF SECTION 28 AND
THE N 1/2 OF SECTION 33,
TOWNSHIP 1 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN,
CITY OF FAIRVIEW AND THE CITY OF WOOD VILLAGE,
MULTNOMAH COUNTY, OREGON



NE 207th AVENUE
FOUND MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	DESCRIPTION	ORIGIN
15	115+84.85	89.80' RT	1/2" IRON PIPE (BENT)	UNKNOWN
16	115+84.78	68.85' RT	5/8" IRON ROD (BENT)	SN 33593
151	116+04.17	57.77' LT	NE CORNER ROBERTS D.L.C. AS NOTED	B.T. BOOK C, PAGE 379

LEGEND

- FOUND CONCRETE MONUMENT AS DESCRIBED.
- FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
- 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MULT. CO. SURVEY", SET PER SN 57030, UNLESS OTHERWISE NOTED.
- ① MONUMENT IDENTIFIER, SEE MONUMENT TABLES.
- SN SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS (MCSR)
- () RECORD DIMENSION FROM DEED BOOK 2580, PAGE 1495 (08/25/1992)
- DOC. DOCUMENT NUMBER, MULTNOMAH COUNTY DEED RECORDS

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert A. Hovden

OREGON
JULY 16, 1971
ROBERT A. HOVDEN
954

RENEWAL DATE: 6/30/2003



MULTNOMAH COUNTY

DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES
TRANSPORTATION DIVISION / COUNTY SURVEYOR'S OFFICE
1800 S.E. 190th Ave. PORTLAND, OR 97233

NE 207TH AVE. - STA: 103+62.58 TO STA: 147+68.77

ROBERT A. HOVDEN, P.L.S. COUNTY SURVEYOR

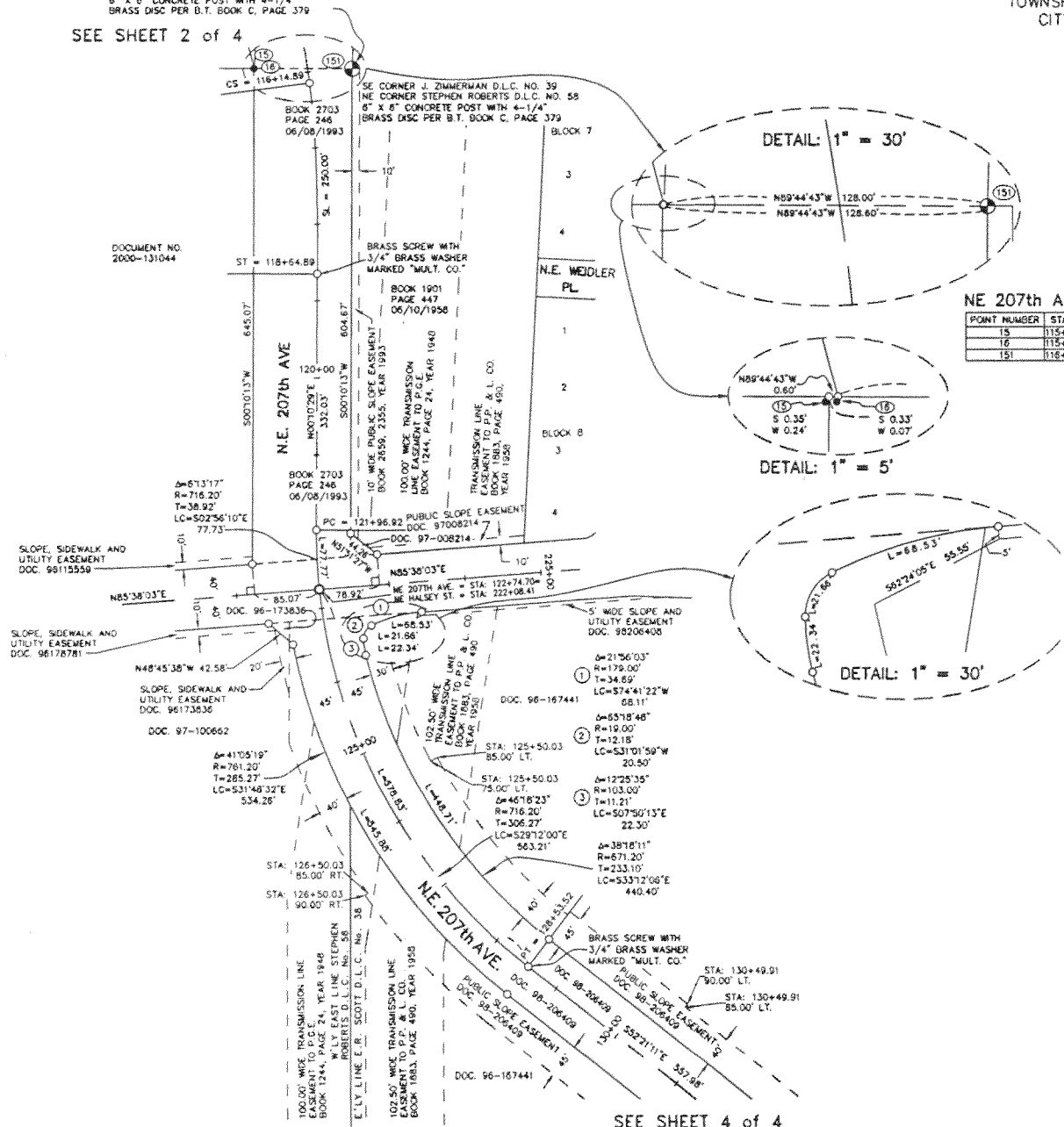
Drafted: KSH Checked: SRO/RAH

Date: 7/25/2002 Scale: 1" = 100'

Sh. 2 of 4

THE N 1/2 OF SECTION 33,
TOWNSHIP 1 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN,
CITY OF FAIRVIEW AND THE CITY OF WOOD VILLAGE,
MULTNOMAH COUNTY, OREGON

SEE SHEET 2 of 4

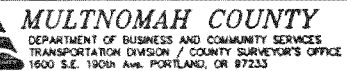


POINT NUMBER	STATION	OFFSET	DESCRIPTION	ORIGIN
15	115+84.65	69.60' RT.	1/2" IRON PIPE (BENT)	UNKNOWN
16	115+84.78	68.85' RT.	5/8" IRON ROD (BENT)	SN 33597
151	116+04.17	57.77' LT.	NE CORNER ROBERTS D.L.C. AS NOTED	B.T. BOOK C. PAGE 379

- FOUND CONCRETE MONUMENT AS DESCRIBED.
- FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
- 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MULT. CO. SURVEY", SET PER SM 57030, UNLESS OTHERWISE NOTED.
- 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MULT. CO. SURVEY", SET IN MONUMENT BOX PER SM 57030.
- ④ MONUMENT IDENTIFIER, SEE MONUMENT TABLES.
- SM SURVEY NUMBER, MAULTONHAM COUNTY SURVEY RECORDS (MCSR)
- DOC DOCUMENT NUMBER, MAULTONHAM COUNTY DEED RECORDS

Robert A. Hinde

RENEWAL DATE: 6/30/2003



3.4

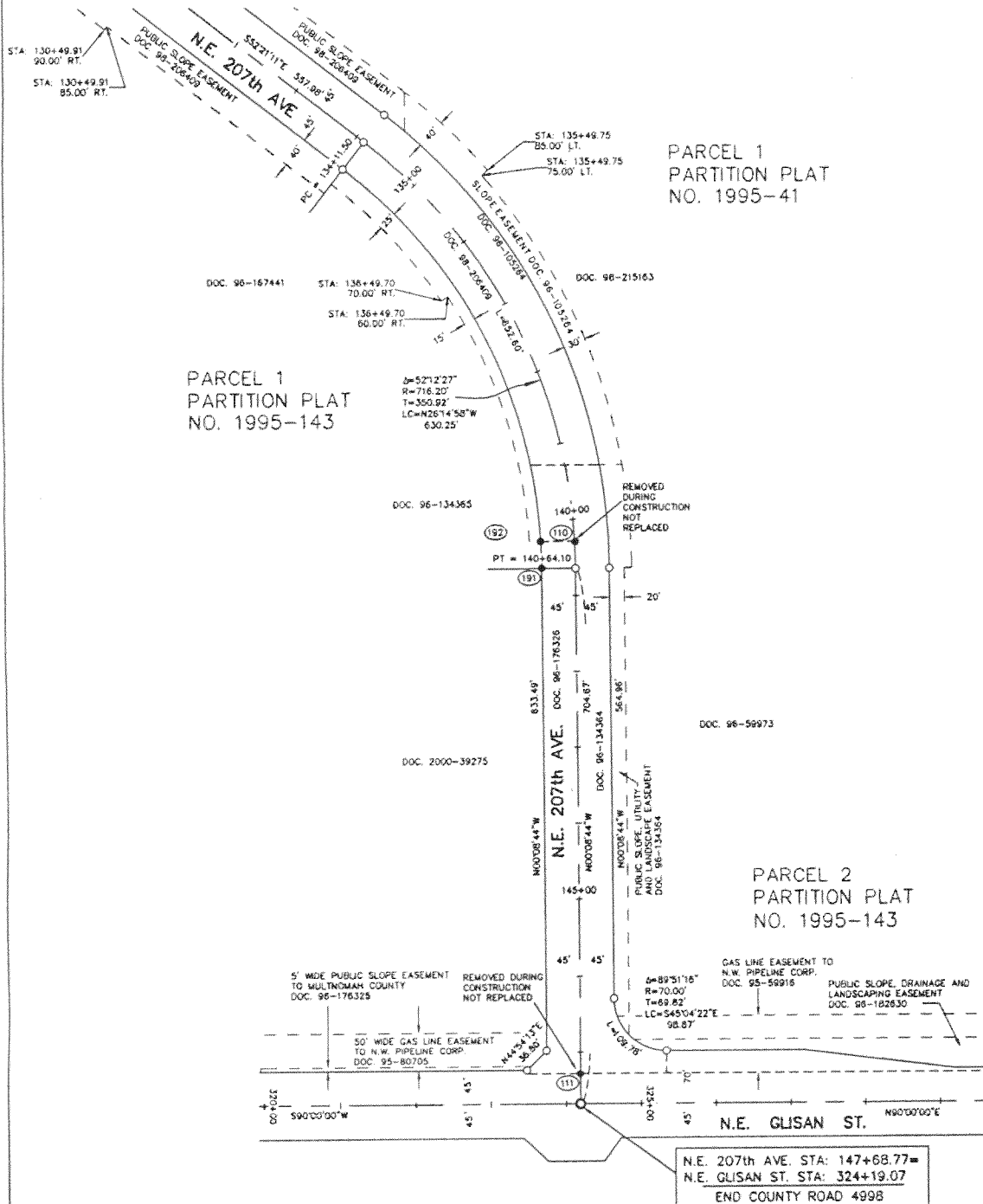
SEE SHEET 4 of 4

SEE SHEET 3 of 4

RIGHT-OF-WAY MAP

NE 207th AVENUE - COUNTY ROAD NO. 4998

SITUATED IN THE SW 1/4 OF SECTION 28 AND
THE N 1/2 OF SECTION 33,
TOWNSHIP 1 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN,
CITY OF FAIRVIEW AND THE CITY OF WOOD VILLAGE,
MULTNOMAH COUNTY, OREGON



NE 207TH AVENUE
FOUND MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	DESCRIPTION	ORIGIN
192	140+26.35	44.99' RT.	5/8" IRON ROD WITH YPC MARKED "KENT COX & ASSOC. INC."	SN 56756
110	140+29.14	0.84' LT.	5/8" IRON ROD	SN 41595
191	140+63.90	44.94' RT.	5/8" IRON ROD WITH YPC MARKED "KENT COX & ASSOC. INC."	SN 56756
111	147+28.77	0.00	5/8" IRON ROD	SN 41595

LEGEND

- FOUND CONCRETE MONUMENT AS DESCRIBED.
- FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
- 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MULT. CO. SURVEY", SET PER SN 57030, UNLESS OTHERWISE NOTED.
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- SN SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS (MCSR)
- DOC. DOCUMENT NUMBER, MULTNOMAH COUNTY DEED RECORDS

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert A. Hovden

OREGON
JULY 16, 1971
ROBERT A. HOVDEN
954
RENEWAL DATE: 6/30/2003



MULTNOMAH COUNTY
DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES
TRANSPORTATION DIVISION / COUNTY SURVEYOR'S OFFICE
1600 S.E. 180th Ave. PORTLAND, OR 97233

NE 207TH AVE. - STA: 103+62.58 to STA: 147+68.77

ROBERT A. HOVDEN, P.L.S. COUNTY SURVEYOR

Drafted: KSH Checked: SRO/RAH
Date: 7/25/2002 Scale: 1" = 100'

4 of 4

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Establishing a Portion of NE 207th Avenue as County Road No. 4998

The Multnomah County Board of Commissioners Finds:

- a. ORS 368.106 provides that upon the acquisition of property for road purposes the County is required to survey and monument the property.
- b. The above-mentioned portion of NE 207th Avenue described as follows:

From NE Glisan St. northerly to the southerly right of way line of the Oregon Washington Railroad and Navigation Co. more particularly described in the attached Exhibit A has been acquired, surveyed, and monumented as required by law.
- c. Further the surveys have been recorded and the real property interests acquired have been used in the construction of NE 207th Avenue consistent with Multnomah County specifications and requirements.
- d. The County Engineer finds it is in the public's interest and therefore recommends that above-described portion of NE 207th Avenue be established as a county road as authorized pursuant to ORS Chapter 368.

The Multnomah County Board of Commissioners Resolves:

1. The portion of NE 207th Avenue more particularly described in the attached Exhibit A, is hereby established as County Road No. 4998, in accordance with ORS Chapter 368.
2. Pursuant to ORS 368.106, this Resolution establishing County Road No. 4998 will be recorded in the Deed Records of Multnomah County, Oregon.

ADOPTED this 10th day of April, 2003.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, ACTING COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

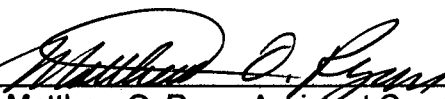
By 
Matthew O. Ryan, Assistant County Attorney

Exhibit A to Multnomah County Board Resolution Establishing a Portion of NE 207th Avenue as County Road No. 4998

EXHIBIT A

A public right of way from NE Glisan St. northerly to the southerly right of way line of the Oregon Washington Railroad and Navigation Co. right of way and with the centerline and right-of-way boundary lines as described by the following deeds of dedication to the public: Book 2703, Page 246, recorded 06/08/1993; Book 2495, Page 777, recorded 01/08/1992; Book 2627, Page 1011, recorded 12/21/1992; Book 2580, Page 1495, recorded 08/25/1992; City of Fairview Resolution 1-2003; Documents 96-134364, 96-176326, 96-134365, 98-206409, 96-105264, 96-173836, and 97-008214, Deed Records of Multnomah County, Oregon, and as shown on the attached right of way map. Said NE 207th Ave. being situated in Sections 28, and 33, T1N, R3E, W.M. The right-of-way to be variable in width from NE Glisan Street, northerly to the southerly right of way line of the Oregon Washington Railroad and Navigation Co. right of way.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 03-053

Establishing a Portion of NE 207th Avenue as County Road No. 4998

The Multnomah County Board of Commissioners Finds:

a. ORS 368.106 provides that upon the acquisition of property for road purposes the County is required to survey and monument the property.

b. The above-mentioned portion of NE 207th Avenue described as follows:

From NE Glisan St. northerly to the southerly right of way line of the Oregon Washington Railroad and Navigation Co. more particularly described in the attached Exhibit A has been acquired, surveyed, and monumented as required by law.

c. Further the surveys have been recorded and the real property interests acquired have been used in the construction of NE 207th Avenue consistent with Multnomah County specifications and requirements.

d. The County Engineer finds it is in the public's interest and therefore recommends that above-described portion of NE 207th Avenue be established as a county road as authorized pursuant to ORS Chapter 368.

The Multnomah County Board of Commissioners Resolves:

1. The portion of NE 207th Avenue more particularly described in the attached Exhibit A, is hereby established as County Road No. 4998, in accordance with ORS Chapter 368.

2. Pursuant to ORS 368.106, this Resolution establishing County Road No. 4998 will be recorded in the Deed Records of Multnomah County, Oregon.

ADOPTED this 10th day of April, 2003.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, ACTING COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Matthew O. Ryan, Assistant County Attorney

Exhibit A to Multnomah County Board Resolution Establishing a Portion of NE 207th Avenue as County Road No. 4998

EXHIBIT A

A public right of way from NE Glisan St. northerly to the southerly right of way line of the Oregon Washington Railroad and Navigation Co. right of way and with the centerline and right-of-way boundary lines as described by the following deeds of dedication to the public: Book 2703, Page 246, recorded 06/08/1993; Book 2495, Page 777, recorded 01/08/1992; Book 2627, Page 1011, recorded 12/21/1992; Book 2580, Page 1495, recorded 08/25/1992; City of Fairview Resolution 1-2003; Documents 96-134364, 96-176326, 96-134365, 98-206409, 96-105264, 96-173836, and 97-008214, Deed Records of Multnomah County, Oregon, and as shown on the attached right of way map. Said NE 207th Ave. being situated in Sections 28, and 33, T1N, R3E, W.M. The right-of-way to be variable in width from NE Glisan Street, northerly to the southerly right of way line of the Oregon Washington Railroad and Navigation Co. right of way.

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: April 10, 2003

Agenda Item #: R-9

Est. Start Time: 10:30 AM

Date Submitted: 03/14/03

Requested Date: April 10, 2003

Time Requested: 5 mins

Department: Business & Community Svcs

Division: Director's Office

Contact: Katie Gaetjens

Phone: 503 988-3138

Ext.: 83138

I/O Address: 503/5th

Presenters: Katie Gaetjens

Agenda Title

Resolution Adopting Multnomah County HIPAA Privacy Policies and Directing the Appointment of County Privacy Officer

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

Please answer all relevant questions; leave others blank. Please do not alter form.

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

Approval of the resolution. County HIPAA Steering Committee and Business and Community Services support this action.

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

The 1996 Health Insurance Portability and Accountability Act (HIPAA) requires that organizations impacted by HIPAA designate in writing which functions are within HIPAA's scope and which are not. On January 9, 2003 the Board adopted Resolution 03-006 designating the County as a hybrid covered entity, and its departments, divisions and functions as health care components. These components are required to become HIPAA compliant by the deadlines set forth

in the legislation. The first deadline, April 14, 2003, requires implementation of the privacy rules concerning protected health information. The County is also required to appoint as central person as its "Privacy Officer."

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

The fiscal impact to the health care components is both direct and indirect. The direct expenses are actual funds expended to become HIPAA compliant. These include training courses, training software, project management assistance, computer system translation software and new case management software. These costs were estimated to be \$500,000 to \$1,000,000. These funds are already budgeted and in many cases were anticipated by the departments.

The indirect costs are primarily staff time in redesigning policies, procedures and practices in order to align them with the new HIPAA requirements. Many, if not most, staff in the health care components will find that they will be performing some of their tasks differently due to this legislation.

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

If a budget modification, explain:

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

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain:

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

If grant application/notice of intent, explain:

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

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

Legal and policy issues are constantly being addressed as various county entities grapple with the implications of HIPAA. The County Attorney's Office is working closely with each health care component to assess the legal and policy ramifications of HIPAA. Issues are being addressed through the policies and procedures being adopted throughout the County.

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

Multnomah County is working closely with the State of Oregon, especially the State Department of Human Resources, in aligning its efforts with those of the State. In addition Multnomah County is cooperating with several other Oregon counties on their HIPAA efforts, sharing documents, procedures and ideas.

Required Approvals (typed names indicate approval)

Required Signatures:

Department/Agency Director: M. Cecilia Johnson

Date: 03/17/03

County Attorney

By: _____

Date:

Budget Analyst

By: _____

Date:

Dept/Countywide HR

By: _____

Date:

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Adopting Multnomah County HIPAA Privacy Policies and Directing the Appointment of County Privacy Officer

The Multnomah County Board of Commissioners Finds:

- a. Multnomah County is a "hybrid covered entity" under the federal Health Insurance Portability and Accountability Act. (HIPAA).
- b. As a hybrid covered entity, Multnomah County must adopt and implement policies regarding the protection of protected health information.
- c. Multnomah County is required by HIPAA to appoint a central person as the "Privacy Officer" for the County

The Multnomah County Board of Commissioners Resolves:

1. To adopt the attached set of HIPAA Privacy Policies for implementation in Multnomah County and directs the Clerk of the Board to maintain a complete set, including any amendments.
2. To direct affected covered components within the "hybrid covered entity" to develop procedures specific to their work sites implementing these policies and to submit all procedures, including revisions, to the County Privacy Officer in DCBS.
3. To direct covered components to designate a "privacy official" for that component who will be the component's contact for all matters relating to HIPAA, including complaints from individuals.
4. To direct the Director of the Department of Business and Community Services to designate an employee of that department to serve as the County Privacy Officer.

ADOPTED this 10th day of April 2003.

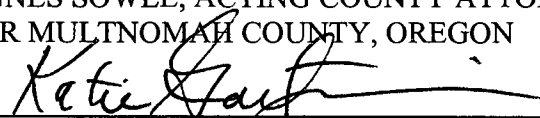
BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, ACTING COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By


Katie Gaetjens, Assistant County Attorney

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 03-054

Adopting Multnomah County HIPAA Privacy Policies and Directing the Appointment of County Privacy Officer

The Multnomah County Board of Commissioners Finds:

- a. Multnomah County is a "hybrid covered entity" under the federal Health Insurance Portability and Accountability Act. (HIPAA).
- b. As a hybrid covered entity, Multnomah County must adopt and implement policies regarding the protection of protected health information.
- c. Multnomah County is required by HIPAA to appoint a central person as the "Privacy Officer" for the County

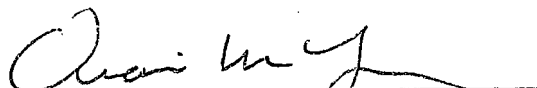
The Multnomah County Board of Commissioners Resolves:

1. To adopt the attached set of HIPAA Privacy Policies for implementation in Multnomah County and directs the Clerk of the Board to maintain a complete set, including any amendments.
2. To direct affected covered components within the "hybrid covered entity" to develop procedures specific to their work sites implementing these policies and to submit all procedures, including revisions, to the County Privacy Officer in DCBS.
3. To direct covered components to designate a "privacy official" for that component who will be the component's contact for all matters relating to HIPAA, including complaints from individuals.
4. To direct the Director of the Department of Business and Community Services to designate an employee of that department to serve as the County Privacy Officer.

ADOPTED this 10th day of April 2003.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Diane M. Linn, Chair

AGNES SOWLE, ACTING COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Katie Gaetjens, Assistant County Attorney

Multnomah County HIPAA Privacy Policies

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Multnomah County HIPAA Privacy Policies

Introduction

Multnomah County is a “hybrid covered entity” under the federal Health Insurance Portability and Accountability Act (HIPAA). The following policies are designed to assure the rights of individuals and to fulfill Multnomah County’s obligations under HIPAA.

1. Notice of Privacy Practices 45 CFR 164.520

Multnomah County recognizes an individual’s right to receive adequate notice of the uses and disclosures of the individual’s protected health information that may be made by Multnomah County and of the individual’s rights and Multnomah County’s legal duties with respect to protected health information. Each covered component within the hybrid-covered entity will develop a Notice of Privacy Practices. Covered components that have a direct treatment relationship will provide the Notice of Privacy Practices to the individual on the first date of service. Covered components that have public access to workplaces will post the Notice of Privacy Practices. Covered components will make available any procedures referenced in their Notices of Privacy Practices upon request.

2. Review and Resolution of Privacy Complaints 45 CFR 164.530(d)

Each Multnomah County covered component will provide a process for individuals to make privacy complaints concerning Multnomah County’s compliance with federal privacy regulations (HIPAA). Each Multnomah County covered component will investigate all privacy complaints received.

3. Individual’s Right to Access Protected Health Information 45CFR 164.524

Multnomah County recognizes the right of an individual to have access to (i.e. inspect and obtain a copy of) his or her protected health information which is maintained in the Designated Record Set for as long as the protected health information is maintained. An individual will have a right to access any protected health information in the Designated Record Set with the following exceptions:

- Psychotherapy notes
- Information compiled in reasonable anticipation of, or for use in, a civil, criminal, or administrative action or proceeding
- information that is prohibited for access by the Clinical Laboratory Improvements Amendments of 1998 (42 USC 263 a)
- information exempt from the Clinical Laboratory Improvements Amendments of 1998 (42 CFR 493.3(a)(2))
- other limitations under federal or state law

Multnomah County may deny access to individuals under certain circumstances detailed in the Multnomah County covered component's procedures for this policy.

**4. Individual's Right to Request Amendment of Protected Health Information
45 CFR 164.526**

Multnomah County recognizes the right of an individual to request that Multnomah County amend protected health information about an individual maintained in its Designated Record Set for as long as the protected health information is maintained.

5. Individual's Right to Request Alternative Communications 45 CFR 164.522(b)

Multnomah County will accommodate any reasonable request by an individual to receive communications of his or her protected health information from Multnomah County by alternative means or at alternative locations. Multnomah County will determine if such a request has been approved before contacting the individual.

**6. Individual's Right to Request Restrictions on Uses and Disclosures
45 CFR 164.522(a)**

Multnomah County recognizes the right of an individual to request that Multnomah County restrict uses or disclosures of the individual's protected health information to carry out treatment, payment or health care operations. Multnomah County is not required to agree to such a restriction; therefore Multnomah County will evaluate such requests in accordance with the Multnomah County covered component's procedures for this policy.

7. Disclosing Information to Person's Involved In Individual's Care and Individual's Right to Restrict Disclosures 45 CFR 164.510(b)

Multnomah County may under certain circumstances disclose protected health information to an individual's family member, other relative, close personal friend, or any other person involved with the individual's care or payment of the care unless the individual has requested a restriction on such disclosures or unless other legal restrictions apply.

Multnomah County may disclose protected health information to notify or assist in the notification of the individual's family member, personal representative or other person responsible for the individual's care of the individual's location, general condition or death unless the individual has requested a restriction on such disclosures.

Multnomah County may disclose protected health information to organizations involved in disaster relief efforts, for the purpose of coordinating with such organizations disclosures of the individual's location, general condition or death to the individual's family member, personal representative or other person responsible for the individual's care unless the individual has requested a restriction on such disclosures.

8. Individual's Right to an Accounting of Disclosures of Protected Health Information 45 CFR 164.528

Upon the request of the individual or the individual's personal representative, Multnomah County will provide an accounting of those disclosures of protected health information required by HIPAA. All covered components will develop procedures covering documentation of disclosures of PHI.

9. Confidentiality/Privacy of Protected Health Information 45 CFR 164.502

Multnomah County, its employees, and business associates will respect and protect the confidentiality and privacy of protected health information. All individually identifiable health information in any form is confidential and private. This includes written, electronic and oral communications.

10. Uses and Disclosures of Protected Health Information Not Requiring the Individual's Authorization 45 CFR 164.512

Multnomah County may use and disclose protected health information without the individual's authorization if permitted under the HIPAA Privacy Rule and Oregon and other federal laws as detailed in the Multnomah County covered component's procedures for this policy.

11. Authorization for Uses and Disclosures of Protected Health Information 45 CFR 164.508

If an authorization is required under federal or state law, each covered component will use an authorization containing the elements specified under federal and state law. A single authorization form may be used if it contains the elements of all applicable state and federal laws.

12. Minimum Necessary 45 CFR 164.502 and 164.514(d)

Multnomah County, when using, disclosing or requesting protected health information, will make reasonable efforts to limit the protected health information to the minimum necessary to accomplish the intended purpose of the use, disclosure or request with the following exceptions:

- Disclosures to or requests by a health care provider for treatment
- Disclosures made to the individual about his or her own protected health information
- Uses or disclosures authorized by the individual
- Disclosures made to the Secretary of Health and Human Services in accordance with the HIPAA Privacy Rule
- Uses or disclosures that are required by law
- Uses or disclosures that are required for compliance with the HIPAA Transaction Rule

Covered components may rely on the minimum necessary determination made by the following entities in responding to a request for protected health information:

- Public official
- Another covered entity
- A health care professional working for a business associate of Multnomah County
- A researcher with proper authorization

13. Safeguarding of Protected Health Information 45 CFR 164.530(c)

Multnomah County will safeguard protected health information to prevent unauthorized uses or disclosures. In addition, Multnomah County to the maximum extent possible will limit incidental uses or disclosures. An incidental use or disclosure is a secondary use or disclosure that cannot reasonably be prevented, is limited in nature, and occurs as a by-product of an otherwise permitted use or disclosure.

Each member of Multnomah County's workforce will use due care in limiting incidental disclosures as much as is reasonably practicable and will use caution and common sense when handling protected health information.

14. Training of Workforce with Respect to Protected Health Information 45 CFR 164.530 (b)

Multnomah County will train employees and other members of its workforce concerning Multnomah County's policies and procedures regarding the privacy of protected health information, as necessary and appropriate for the workforce member to carry out his or her specific job functions.

15. Mitigation of Improper Disclosures 45 CFR 164.530(f)

Multnomah County will mitigate, to the extent practicable, any harmful effect that is known by Multnomah County to have occurred as a result of a use or disclosure of protected health information in violation of the requirement of the HIPAA Privacy Rule or Multnomah County's policies and procedures by either Multnomah County or its business associates.

16. Designated Record Set 45 CFR 164.501

Each covered component of Multnomah County will retain the designated record set for the covered component. The designated record set will include the following when used by the covered component:

- The medical records and billing records about individuals maintained by or for a covered health care provider
- The enrollment, payment, claims adjudication, and case or medical management record systems maintained by or for a health plan
- Records used, in whole or in part, by or for the covered component to make decisions about individuals

17. Disclosures of De-Identified Health Information 45 CFR 164.514

Multnomah County may use or disclose de-identified health information without obtaining an individual's authorization. However, Multnomah County will not use or disclose de-identified health information about genetic testing unless Multnomah County notified the individual when the genetic test information was obtained of the individual's right to object to the use or disclosure of de-identified genetic test information, or unless the disclosure is otherwise authorized by law.

De-identified health information is health information that does not identify an individual and with which there is no reasonable basis to believe that the information can be used to identify an individual. Health information will be considered de-identified only if one of the two de-identification procedures in 45 CFR 514(b) are followed.

18. Retention of Protected Health Information 45 CFR 164.530(j)

Multnomah County will retain records containing protected health information in compliance with federal and state laws and retention schedules. Records included in the Designated Record Set are maintained for a minimum of six (6) years.

19. Privacy Officer and Privacy Official 45 CFR 164.530(a)

Multnomah County will appoint or designate a Privacy Officer for the County. The Privacy Officer is responsible to assure that each covered component develops and implements procedures based upon the County's HIPAA policies. The privacy officer will work closely with privacy officials within the covered components, facilitating a regular Privacy Team meeting. The privacy officer is authorized to have direct access or communication with department directors and the Chief Operating Officer.

20. Business Associate Agreements 45 CFR 164.504(e)

Each Multnomah County covered component will include HIPAA business associate requirements in all services contracts with business associates. Direct pay vendors who are business associates will be required to execute written business associate agreements.

21. Policies and Procedures Requirements 45 CFR 164.530(i)

Multnomah County will implement protected health information policies in accordance with HIPAA requirements. Each Multnomah County covered component will be responsible for implementing procedures that are reasonably designed to address the scope and type of activities undertaken by that covered component.

Countywide policies will be adopted by the Board of County Commissioners and maintained by the Clerk of the Board. Covered components' procedures will be maintained by the Multnomah County Privacy Officer. Each covered component's privacy official will also maintain a complete set of the covered component's procedures. Policies and procedures will be retained in compliance with established county records retention schedules.

Policies must be updated as necessary to comply with changes in the law. If a change materially affects a Notice of Privacy Practices, the Notice will be revised.

**22. Transition Provisions/Effect of Authorizations Obtained Prior to 4/14/03
45 CFR 154.532**

Multnomah County may use a release, consent or authorization to use or disclose protected health information signed prior to April 14, 2003 for protected health information received prior to April 14, 2003. For protected health information received or created after April 14, 2003, an authorization meeting HIPAA requirements is necessary.

If an individual's protected health information is being lawfully used or disclosed for research purposes prior to April 14, 2003, a new authorization is not required to complete the research after April 14, 2003. An individual's protected health information is considered lawfully used or disclosed if the individual has expressly authorized or consented to its use or has given informed consent to participate in the research, or if an institutional review board has waived the informed consent requirements. All research initiated after April 14, 2003 must comply with HIPAA research requirements.

23. Uses and Disclosures of Psychotherapy Notes 45 CFR 164.508(a) and 164.524(a)

Multnomah County maintains the confidentiality of an individual's psychotherapy notes in accordance with HIPAA requirements. Multnomah County will not use or disclose psychotherapy notes without obtaining the individual's authorization or as described in the Multnomah County covered component's procedures. Multnomah

County may limit an individual's access to psychotherapy notes only as permitted under HIPAA or state law.

**24. Uses and Disclosures of Protected Health Information Created for Research
45 CFR 164.512(i)**

Multnomah County may use or disclose protected health information for research if it obtains the individual's authorization for use or disclosure of protected health information or obtains a waiver of the authorization requirements from an Institutional Review Board or Privacy Board per the Common Rule (45 CFR 46.107).

25. Limited Data Set 45 CFR 164.514(e)

Multnomah County may use or disclose a limited data set for research, public health or health care operations purposes if Multnomah County enters into a data use agreement with the limited data set recipient. A limited data set is protected health information that excludes the following direct identifiers of the individual or of relatives, employers, or household members of the individual:

- Names
- Postal address information, other than town or city, state, and zip code
- Telephone numbers
- Fax numbers
- Electronic mail addresses
- Social security numbers
- Medical record numbers
- Health plan beneficiary numbers
- Account numbers
- Certificate/license numbers
- Vehicle identifiers and serial numbers, including license plate numbers
- Device identifiers and serial numbers
- Web Universal Resource Locations (URLs)
- Internet Protocol (IP) address numbers
- Biometric identifiers, including finger and voice prints
- Full face photographic images and any comparable images

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: April 10, 2003

Agenda Item #: R-10

Est. Start Time: 10:35 AM

Date Submitted: 03/24/03

Requested Date: 04/10/03

Time Requested: 5 minutes

Department: Health

Division: Dental Services

Contact/s: Gordon Empey, Director of Dental Services

Phone: 503-988-3674

Ext.: 26334

I/O Address: 160/9

Presenters: Gordon Empey

Agenda Title: Notice of Intent to apply for grant funding from the US Department of Health and Human Services' Bureau of Primary Health Care to expand capacity to provide oral health services.

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

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

Authorize the Director of the Health Department to apply for grant funding from the Bureau of Primary Health Care to expand staffing to provide access to oral health services using a mobile clinic at school-based health centers.

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

PLEASE NOTE: An exemption to the submission process is requested because the deadline for the grant is April 14, 2003.

The Bureau of Primary Health Care has released a Request for Applications to organizations that operate federally funded Community Health Centers that may be interested in expanding access to comprehensive oral health services¹ for low-income residents. Approximately \$4 million is available for an estimated 20 awards that will be made by the Bureau during June 2003.

The burden of oral health disease restricts activities in school, work, and home, and often significantly diminishes the quality of life for individuals who are unable to obtain access to oral health care. The populations served by the Health Department's community health centers often

¹Comprehensive oral health care is defined by the Bureau of Primary Health Care as personal oral health services delivered in the context of family, culture, and community, that includes all but the most specialized oral health care needs of the individuals being served. The range of services includes preventive care, education, emergency services, basic restorative services, and periodontal services. Additional services may include basic restorative services to enable an individual to eat, benefit from basic self-esteem, and have increased employment acceptability.

experience significant barriers to oral health services because of income, language and/or cultural differences, or because they lack the ability to pay for services. The US Surgeon General reported in 2001 that the oral health care needs of low-income, minority, and other vulnerable population groups continue to be greater than those of the general population, and that lack of access to oral health care is the primary reason for this disparity.

Based on the most recent survey data (1998), 34.2 percent of Multnomah County's residents were without dental care insurance. Assuming that this rate has remained constant, this represents 225,720 residents. The Health Department's Dental Services Division has the resources to provide oral health care for approximately 29,000 client visits annually, only ten percent of these visits (2,900) are provided to individuals without insurance.

It is estimated that federal funding will give the Department the financial resources to hire a dentist and a dental assistant. This grant will enable the Health Department to serve approximately 1,100 new clients (or 2,200 encounters) annually.

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

The one-year cost of this project is estimated to be \$240,000 for staffing, space, laboratory, records, interpretation and other related costs. If authorized by the Board to apply for grant funding, the Health Department will request \$200,000 from the Bureau of Primary Health Care. It is projected that resulting revenues will be at least \$40,000 based on a payer mix of clients that includes uninsured/underinsured (self-pay), Medicaid (Oregon Health Plan), and privately insured clients. If funds are awarded, the Bureau of Primary Health Care will add the amount of the grant (\$200,000) to the Department's ongoing federal grant for dental services after the first year to ensure a sustainable level of service delivery.

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

If a budget modification, explain:

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

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain:

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

If grant application/notice of intent, explain:

- ❖ **Who is the granting agency?**
Bureau of Primary Health Care (a division of the US Department of Health and Human Services).
- ❖ **Specify grant requirements and goals.**
During 2002, the Department was awarded a \$100,000 grant to support an additional dental provider team at the East County Dental Clinic through this program. The program is limited to providing support for projects that include oral health services only. If the application is successful, funds will be rolled into the Department's existing 330

grant, which the County has received since 1977. Services must be available within 90 days of grant award.

Expanded oral health services would include hiring an additional dental provider team to provide access to oral health services. The project will use a mobile dental clinic leased from Northwest Medical Teams to expand access to oral health services by low-income youths at several of the Department's school-based health clinics. Grant funds would cover the costs of the van, staff, supplies, and materials necessary to ensure high quality services to the target population.

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

The Bureau of Primary Health Care gives grantees of this program two years to achieve program goals for expanding oral health care services. Communities that achieve their access goals within the two-year timeframe will receive ongoing funding.

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

Applications are due on April 14, 2003.

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

Funding for this effort will be provided over a two-year period, and then become a part of the County's ongoing federal funding.

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

If the project's access objectives are achieved, funding for this effort will be rolled into the Department's ongoing federal grant to provide primary care and oral health services.

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

Indirect can be charged as a grant expense.

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

No unusual legal issues related to the project have been identified. Providing oral health services for the uninsured is consistent with County policy.

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

This application for funding will be prepared with input and approval from the Multnomah County Community Health Council (the Council's membership includes individual consumers of the Department's health care services, health care providers, and government representatives).

Required Signatures:

Department/Agency Director:

Lillian Shirley

Date: March 21, 2003

County Attorney

By: _____

Date:

Budget Analyst

By: *Julie Neburka*

Date: March 21, 2003

Dept/Countywide HR

By: _____

Date:

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: April 10, 2003

Agenda Item #: R-11

Est. Start Time: 10:40 AM

Date Submitted: 03/24/03

Requested Date: 04/10/03

Time Requested: 5 minutes

Department: Health

Division: Primary Care

Contact/s: Kim Tierney, Clinic Manager for West Side Clinic

Phone: 503-988-3674

Ext.: 22850

I/O Address: 160/9

Presenters: Kim Tierney, Health Department, Rachel Post, Central City Concern

Agenda Title: Notice of Intent to apply for grant funding from the US Department of Health and Human Services' Health Resources and Services Administration (HRSA) to provide health services to the chronically homeless.

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

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

Authorize the Director of the Health Department to apply for grant funding from the Health Resources and Services Administration to provide access to health services for the chronically homeless.

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

PLEASE NOTE: An exemption to the submission process is requested because the deadline for the grant is April 14, 2003.

The U.S. Interagency Council on the Homeless (ICH) is coordinating a \$35 million joint initiative with the Departments of Housing and Urban Development (HUD/HRSA), Health and Human Services Health Resources and Services Administration (HRSA), and Veterans Affairs (VA) to support the Administration's initiative to end chronic homelessness. This initiative seeks to create a collaborative and comprehensive approach to addressing the problems of homelessness of our most vulnerable citizens. This collaboration among the federal departments offers housing and service funding through a consolidated application. Applicants must show how the funds they are requesting will be part of a comprehensive and integrated community strategy to use funding sources, including mainstream services resources, to assist persons who are chronically homeless and homeless families with a disabled adult member to move from the streets and emergency shelters into stable housing and receive the range of services and other support needed to promote and maintain greater self-sufficiency.

There are approximately 6,500 homeless residents in Multnomah County. These individuals live on the street, in homeless shelters and in homeless camps; and they often have multiple disorders (including chronic health problems, mental health problems, and substance abuse problems) which keep them from becoming stable, productive members of the community. This project to "End Chronic Homelessness" proposes to provide housing, health care, mental health and substance abuse treatment, and other services for 100 of the county's homeless residents in an effort to end their cycle of homelessness.

The Health Department will be one of 14 collaborators on this project. The Health Department is applying for the HRSA health services component only. The proposed HRSA grant funding will provide \$300,000 to the Health Department to hire the following staff:

- Community Health Nurse
- Medical Social Worker
- Pharmacy Technician
- Adult Nurse Practitioner
- Acupuncturist/Doctor of Oriental Medicine
- Medical Assistant
- Lab and support staff

Funds will also be used to purchase pharmaceuticals for the target population.

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

The annualized cost of the HRS portion of this project is approximately \$380,000 for staffing, space, pharmacy, records, interpretation and other related costs. The Health Department's Primary Care Division will request \$300,000 each year (over a period of three years) from HRSA. It is projected that resulting revenues will be at least \$80,000 annually from Medicaid (Oregon Health Plan) beneficiaries.

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

If a budget modification, explain:

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

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain:

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

If grant application/notice of intent, explain:

- ❖ **Who is the granting agency?**

Health Resources and Services Administration (a division of the US Department of Health and Human Services).

❖ **Specify grant requirements and goals.**

There is a competitive grant program that is limited to providing support for projects that proposed innovative and comprehensive approaches to end chronic homelessness. Applications must address both the overall approach and specific technical requirements established by the participating agencies. For example, funding provided by HUD must be used to provide permanent housing; SAMHSA funds will be directed toward substance abuse treatment, mental health and related supportive services; and HRSA funds must be used for primary health care services. This LOI addresses the HRSA/health components of the application.

The project goals are to:

1. Increase the effectiveness of integrated systems of care for persons experiencing chronic homelessness by providing comprehensive services and treatment and linking them to housing.
2. Create additional permanent housing for persons experiencing chronic homelessness and homeless families with a disabled adult member. A critical element in ending chronic homelessness is the provision of adequate housing resources.
3. Increase the use of mainstream resources (e.g. Medicaid, Temporary Assistance for Needy Families, Food Stamps, Substance Abuse Prevention and Treatment Block Grants, Mental Health Block Grants, Social Services Block Grants, State Children's Health Insurance Program, etc.) that pay for services and treatment for this population. Existing mainstream resources are available, but underused in serving chronically homeless persons and homeless families with a disabled adult member.
4. Replicate service, treatment, and housing models that have proven to be effective based on sound evidence.
5. Support the development of infrastructures that sustain the housing, services, treatments, and inter-organizational partnerships beyond federal funding.

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

This is a three year grant.

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

Applications are due on April 14, 2003.

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

Funding for this effort will be provided over a three -year period (September 2003 through August 2006).

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

Grant funding is available for a period of three years. The intent of this program is to provide intensive services for people who are chronically homeless in order to build their capability to become self sufficient.

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

Indirect can be charged as a grant expense.

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

No unusual legal issues related to the project have been identified. Providing health services for the homeless is consistent with County policy.

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

The HRSA application will be prepared with input and approval from the Multnomah County Community Health Council (the Council's membership includes individual consumers of the Department's health care services, health care providers, and government representatives). Additional participation is being provided by project partners, including the following organizations:

- Bureau of Housing and Community Development
- Department of Human Services

- Department of Aging and Disabilities Services
- Central City Concern
- North American Rehabilitation Association
- Oregon Office of Mental Health and Substance Abuse Services
- Homeless Alcohol and Drug Intervention Network
- Veterans Administration

Required Signatures:

Department/Agency Director: *Lillian Shirley*

Date: March 21, 2003

County Attorney

By: _____

Date:

Budget Analyst

By: *Julie Neburka*

Date: March 21, 2003

Dept/Countywide HR

By: _____

Date:

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: April 10, 2003

Agenda Item #: R-12

Est. Start Time: 10:45 AM

Date Submitted: 03/18/03

Requested Date: Thursday, April 10, 2003

Time Requested: 25 minutes (at the end of the meeting, if possible)

Department: Health

Division: Director's Office

Contact/s: Tricia Tillman

Phone: 503 988-3674

Ext.: 29087

I/O Address: 106/1400

Presenters: Lillian Shirley

Agenda Title: Community Celebration of Public Health Heroes, a celebration of Public Health Week (April 7 - April 13, 2003) in Multnomah County, Oregon

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

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

The Health Department is requesting that the Board honor Multnomah County Public Health Heroes to celebrate the ways that health professionals and community members promote the health and wellbeing of Multnomah County. We are requesting that the Board, along with Lillian Shirley, acknowledge the 2003 Public Health Heroes.

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

National Public Health Week was established by the American Public Health Association in 1995 as a way to recognize the contributions of public health and prevention services to America's well-being. For the past two years, Multnomah County Health Department, with the support of the Board of County Commissioners, has recognized and celebrated our local public health heroes. Over twenty community members, organizations, businesses, youth, county employees, and policy makers have been given the

distinguished honor of Public Health Hero to honor their efforts to promote the health and wellbeing of Multnomah County. The recognition of numerous community partners has been a public acknowledgement of the many diverse ways that everyday citizens, as well as highly trained professionals contribute to the overall health of Multnomah County.

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

There is no fiscal impact – the budget for this recognition is minimal.

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

There are no legal or policy issues involved.

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

Citizens participate as nominators, nominees, and heroes in the Public Health Heroes celebration.

Required Signatures:

Department/Agency Director: Lillian Shirley

Date: March 14, 2003

County Attorney

By: _____

Date:

Budget Analyst

By: _____

Date:

Dept/Countywide HR

By: _____

Date:



Multnomah County Health Department

Honors Public Health Heroes

In Celebration of Public Health Week 2003

You are invited to attend
the Health Department's Award
Ceremony
to honor Public Health Heroes
for their dedication to and
passion for
public health in Multnomah
County.

Thursday, April 10, 2003

9:30 a.m. – 12 noon

Part of the Board of County Commissioners Meeting Agenda
Reception to follow

1st Floor Board Room
Multnomah Building
501 SE Hawthorne Blvd.

Refreshments
Easy Parking
Accessible by Bus #4, 10, and 14

Please RSVP to Sonja Hendrix, Office of the Director
503.988.3674 x. 26283
sonja.d.hendrix@co.multnomah.or.us



Come and celebrate National Public Health Week with your local Public Health Heroes!

The Multnomah County Health Department is so pleased to send you this notification announcing the winners of this year's Public Health Hero awards. Please join us in congratulating all of those individuals and groups who were nominated, and applauding those who have been given the distinct honor of winning these prestigious awards. For all of their tireless hours in pursuit of better health and living standards for all people in our community, we salute our

2003 Public Health Heroes

Josiah Hill Award for Community Member

Oanh Thao Doan, a tireless and indispensable advocate for Southeast Asian families in the areas of domestic violence, gang prevention, and crisis support

Governor John Kitzhaber Public Health Leadership

Kathy Hammock, executive director of Wallace Medical Concern, and dedicated advocate for medically needy, uninsured and homeless Oregonians

Charles Jordan, director of Portland Parks and Recreation providing leadership and advocacy to promote land conservation, parks, diversity, physical activity and recreation

Multnomah County Employee

Carol Cole, exemplary community health nurse providing public health leadership and community advocacy for children, families, and communities

Marcela Dixon, Marco Reyes, Sergiy Barsukov, community health workers serving Latino and Russian/Ukrainian patients in primary care clinics

Business

Rejuvenation, a locally owned and operated company that promotes health and wellness among its employees and maintains a strong commitment to sustainability

Community Based Organization

Growing Gardens, a volunteer-based community organization addressing hunger and access to organic, fresh produce among low income residents by installing gardens and training gardeners

Portland Rose City Ward Tongan Community Hepatitis B Project, a faith-based public health response to two tragic deaths from Hepatitis B

Youth

Raelynn Smith, Benson Health Occupations Student, Providence Health Academy student, and Health Department intern

Join us at the Multnomah Building at 501 SE Hawthorne Thursday April 10th in the Board Room on the 1st floor. This ceremony will take place during the Board meeting from 9:30am-Noon. The Public Health Heroes Awards will be given at 10:45 and followed by a brief reception.

Please contact Tricia Tillman (503.988.3674 ext. 29087) and let us know if you will be attending.

Sincerely,
Lillian M. Shirley, RN, MPH, MPA
Director



**Health Department
MULTNOMAH COUNTY OREGON**



News Release

MULTNOMAH COUNTY OREGON

April 4, 2003

Contact: Tricia Tillman-Reardon, Multnomah County Health Department
503-988-3674 ext. 29087 or 503-703-7559 (cellular phone)

Ceremony will honor Public Health Heroes

Multnomah County Health Department will celebrate the contribution of local health "heroes" at the third annual Public Health Heroes award ceremony:

**Thursday, April 10, 2003
10:45 am to 12:00 pm
Multnomah Building Board Room
501 SE Hawthorne Blvd.
Portland, Oregon 97214**

"The public health system's mission is to assure, promote, and protect the health of the people of Multnomah County. We rely on a shared vision with our partners in the diverse communities we serve. These are the Public Health Heroes who share in our work to create healthy people in healthy communities. We are honoring those Heroes who work to make Multnomah County a healthier place to live," states Health Department Director Lillian Shirley RN, MPH, MPA.

2003 Public Health Heroes

Josiah Hill Award for Community Member

Oanh Thao Doan, a tireless and indispensable advocate for Southeast Asian families in the areas of domestic violence, gang prevention, and crisis support

Governor John Kitzhaber Public Health Leadership

Kathy Hammock, Executive Director of Wallace Medical Concern, and dedicated advocate for medically needy, uninsured, and homeless Oregonians

Charles Jordan, Director of Portland Parks and Recreation, providing leadership and advocacy to promote land conservation, parks, diversity, physical activity, and recreation

Multnomah County Employee

Carol Cole, exemplary community health nurse providing public health leadership and community advocacy for children, families, and communities

Marcela Dixon, Marco Reyes, Sergiy Barsukov, community health workers serving Latino and Russian/Ukrainian patients in primary care clinics

Business

Rejuvenation, a locally owned and operated company that promotes health and wellness among its employees and maintains a strong commitment to sustainability

-More-

Public Affairs Office
501 SE Hawthorne Boulevard, #600
Portland, OR 97214
503-988-6800 phone
503-988-6801 fax

Community-Based Organization

Growing Gardens, a volunteer-based community organization addressing hunger and access to organic, fresh produce among low-income residents by installing gardens and training gardeners

Portland Rose City Ward Tongan Community Hepatitis B Project, a faith-based public health response to two tragic deaths from Hepatitis B

Youth

Raelynn Smith, Benson Health Occupations Student, Providence Health Academy student, and Health Department intern

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MULTNOMAH COUNTY HEALTH DEPARTMENT PUBLIC HEALTH HEROES AWARDS

April 10, 2003; 10:30 – Noon
Multnomah County Commissioners Boardroom
501 S.E. Hawthorne
Portland, Oregon

Welcome to the third annual Public Health Hero Award celebration. It is our privilege to acknowledge Public Health Heroes for their commitment and every day contribution to the health of those who live and work in Multnomah County.

2003 Public Health Heroes

Josiah Hill Award for Community Member

Multnomah County lost a powerful and dedicated champion in the fight for social, racial, health, and environmental justice when Josiah Hill III passed away October 12, 2000. To honor his legacy, the Health Department has established the Josiah Hill Public Health Hero Award to be presented annually to outstanding community leaders.

Thao-Oanh T. Doan, a tireless and indispensable advocate for Southeast Asian families in the areas of domestic violence, gang prevention, and crisis support

Governor John Kitzhaber Award for Public Health Leadership

Governor Kitzhaber has leveraged his medical school education and political influence into significant policy solutions that have improved the public health environment for all members of our community in Multnomah County and the State of Oregon. To honor his legacy, the Health Department has established the Governor John A. Kitzhaber Public Health Leadership Award to be presented annually to outstanding policy leaders.

Kathy Hammock, executive director of Wallace Medical Concern, and dedicated advocate for medically needy, uninsured and homeless Oregonians

Charles Jordan, director of Portland Parks and Recreation providing leadership and advocacy to promote land conservation, parks, diversity, physical activity and recreation

Multnomah County Employee

Carol Cole, exemplary community health nurse providing public health leadership and community advocacy for children, families, and communities

Marcela Dixon, Marco Reyes, Sergiy Barsukov, community health workers serving Latino and Russian/Ukrainian patients in Multnomah County primary care clinics

Business

Rejuvenation, a locally owned and operated company that promotes health and wellness among its employees and maintains a strong commitment to sustainability

Community Based Organization

Growing Gardens, a volunteer-based community organization addressing hunger and access to organic, fresh produce among low income residents by installing gardens and training gardeners

Portland Rose City Ward Tongan Community Hepatitis B Project, a faith-based public health response to two tragic deaths from Hepatitis B

Youth

Raelynn Smith, Benson Health Occupations Student, Providence Health Academy student, and Health Department intern

Community-based and Non-profit Organizations Nominees

Cascade AIDS Project
Cherry Hartman's Social Service Prescription Program
Elders in Action Ombudsman Services
Northwest Health Foundation (Thomas Aschenbrener)
The Volunteers of Our House of Portland
Portland Area HIV Services Planning Council
Specialty Referral Project-Physician Volunteers ; I & R ,Sue Bialostosky

Public Health Leadership Nominees

Dr Kristin Behle
Anne Daly, FNP
Randy Gallagher
Leila Keltner
Dr. Gary Oxman
Jan Poujade
Dr. Neal Rendleman
Gary Small
Ian Timm
Rita Tjoelker, RN
Atif Zaman MD
Ken Ingram PA-C

Josiah Hill Health Hero Nominees

Reverend Steven Bossi, CSP
Sandi Clark
Teresa Dulce
Sarah Graver
Melissa Hendricks
Kristine Hilfiker
Robert Johnson, DMD
Dr. Dale Rhoney
Kari Stuhmer
W. Warren Schafer
Dr. David Willis

Employee

Leslie Balderston
Yuen Chan MD
Dr. Peter Davidson
Leila Frank
Tracy Gratto
Sonia Manhas
Kevin O'Dell
Sharlene Rivers
Kim Tierney
Diane White, RN
Lila Wickham