

# Metro | Agenda

Meeting: Metro Council  
Date: Thursday, March 22, 2012  
Time: 2 p.m.  
Place: Metro, Council Chamber

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## CALL TO ORDER AND ROLL CALL

1. **INTRODUCTIONS**
2. **CITIZEN COMMUNICATIONS**
3. **PRESENTATION ON “THE NATIVE AMERICAN COMMUNITY IN MULTNOMAH COUNTY: AN UNSETTLING PROFILE” REPORT** **Rey Espana  
Donita Fry  
Nichole Maher  
Julia Meier**
4. **CONSIDERATION OF THE MINUTES FOR MARCH 15, 2012**
5. **ORDINANCES – SECOND READING**
  - 5.1 **Ordinance No. 12-1272**, For the Purpose of Amending Metro Code Chapter 5.01 to Repeal Provisions Related to Transfer Station Areas. **Harrington**

*Public Hearing*
  - 5.2 **Ordinance No. 12-1273**, For the Purpose of Amending the FY 2011-12 Budget and Appropriations Schedule, Recognizing New Grants, Donations and Other Contributions and Amending the FY 2011-12 through FY 2015-16 Capital Improvement Plan. **Hughes**

*Public Hearing*
6. **RESOLUTIONS**
  - 6.1 **Resolution No. 12-4337**, For the Purpose of Naming the Metro Regional Center's North Plaza After Former Metro Employee Steve Apotheke. **Burkholder**
7. **CONTRACT REVIEW BOARD**
  - 7.1 **Resolution No. 12-4336**, Resolution of Metro Council, Acting as the Metro Contract Review Board, For the Purpose of Approving a Sole Source Contract for the Procurement of an Independent Cemetery Operations Consultant. **Roberts**
  - 7.2 Deliberation on Appeal by Integrated Resource Management of Chief Operating Officer’s Rejection of Initial Appeal Regarding Award of Contract for the Chehalem Ridge Forest Stand Management Under Metro Request for Proposal No. 12-1989.

8. CHIEF OPERATING OFFICER COMMUNICATION

9. COUNCILOR COMMUNICATION

ADJOURN

**Television schedule for March 22, 2012 Metro Council meeting**

<b>Clackamas, Multnomah and Washington counties, and Vancouver, WA</b> Channel 30 – Community Access Network <i>Web site:</i> <a href="http://www.tvctv.org">www.tvctv.org</a> <i>Ph:</i> 503-629-8534 <i>Date:</i> Thursday, March 22	<b>Portland</b> Channel 30 – Portland Community Media <i>Web site:</i> <a href="http://www.pcmtv.org">www.pcmtv.org</a> <i>Ph:</i> 503-288-1515 <i>Date:</i> Sunday, March 25, 7:30 p.m. <i>Date:</i> Monday, March 26, 9 a.m.
<b>Gresham</b> Channel 30 - MCTV <i>Web site:</i> <a href="http://www.metroeast.org">www.metroeast.org</a> <i>Ph:</i> 503-491-7636 <i>Date:</i> Monday, March 26, 2 p.m.	<b>Washington County</b> Channel 30– TVC TV <i>Web site:</i> <a href="http://www.tvctv.org">www.tvctv.org</a> <i>Ph:</i> 503-629-8534 <i>Date:</i> Saturday, March 24, 11 p.m. <i>Date:</i> Sunday, March 25, 11 p.m. <i>Date:</i> Tuesday, March 27, 6 a.m. <i>Date:</i> Wednesday, March 28, 4 p.m.
<b>Oregon City, Gladstone</b> Channel 28 – Willamette Falls Television <i>Web site:</i> <a href="http://www.wftvmedia.org/">http://www.wftvmedia.org/</a> <i>Ph:</i> 503-650-0275 Call or visit web site for program times.	<b>West Linn</b> Channel 30 – Willamette Falls Television <i>Web site:</i> <a href="http://www.wftvmedia.org/">http://www.wftvmedia.org/</a> <i>Ph:</i> 503-650-0275 Call or visit web site for program times.

**PLEASE NOTE: Show times are tentative and in some cases the entire meeting may not be shown due to length. Call or check your community access station web site to confirm program times.**

Agenda items may not be considered in the exact order. For questions about the agenda, call the Metro Council Office at 503-797-1540. Public hearings are held on all ordinances second read. Documents for the record must be submitted to the Regional Engagement Coordinator to be included in the decision record. Documents can be submitted by e-mail, fax or mail or in person to the Regional Engagement Coordinator. For additional information about testifying before the Metro Council please go to the Metro web site [www.oregonmetro.gov](http://www.oregonmetro.gov) and click on public comment opportunities. For assistance per the American Disabilities Act (ADA), dial TDD 503-797-1804 or 503-797-1540 (Council Office).

Agenda Item No. 3.0

**Presentation on “The Native American Community in  
Multnomah County: An Unsettling Profile” Report**

Metro Council Meeting  
Thursday, March 22, 2012  
Metro, Council Chamber



The Native American Community in Multnomah County:  
*An Unsettling Profile*

A partnership between



&



Portland State  
UNIVERSITY



Coalition of  
Communities of  
Color



Portland State  
UNIVERSITY

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*The Native American Community in Multnomah County: An Unsettling Profile*. Portland, OR:  
Portland State University.





about

mission

The Coalition of Communities of Color was founded in 2001 to strengthen the voice and influence of communities of color in Multnomah County, Oregon.

*The communities of color unite as a coalition to address the socioeconomic disparities, institutional racism, and inequity of services experienced by our families, children and communities. The Coalition will organize our communities for collective action resulting in social change to obtain self-determination, wellness, justice and prosperity.*

Portland State University upholds its vision to: "Let Knowledge Serve the City." The academic partners in this research from the School of Social Work hold commitments to social justice and racial equity.

*The School of Social Work is committed to the enhancement of the individual and society. We are dedicated to social change and to the attainment of social justice for all people, the eradication of poverty, the empowerment of those who are oppressed, the rights of all individuals and groups to determine their destiny, and the opportunity to live in cooperation.*

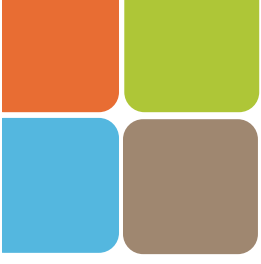
about

mission



**This report was prepared to ensure that the experiences of communities of color are widely available for:**

- Policy makers interested in better understanding the issues facing communities of color and the agencies that provide services for them.
- Advocates wanting firm footing in detailing the disparities between communities of color and White populations.
- Researchers considering how to improve better assessment of services, data collection practices and expand beyond conventional measures to define experiences facing communities of color.
- Educators wanting to expand their resources.
- Grant writers seeking to statistically document trends and challenges.



The Coalition of Communities of Color gratefully acknowledges the assistance from the following partners:

*Thank You!*



NORTHWEST HEALTH  
FOUNDATION

*The Community's Partner for Better Health*

United Way of the  
Columbia-Willamette



*The Native American Community in Multnomah County  
Coalition of Communities of Color & Portland State University*



Dear Reader,

We are pleased to present *The Native American Community in Multnomah County: An Unsettling Profile* – the most widespread study of our local urban Indian community.

Three years ago, members of the Coalition of Communities of Color identified a common need to ensure that data adequately captures the lived experiences of communities of color. Data informs decision making but that same data often excludes dimensions of race and is undertaken without involvement of those most affected by the decisions guided by the research. The impact of these practices is that the Native American community, along with other communities of color, is rarely visible at the level of policy.

The Coalition of Communities of Color decided to embark on a research project in which data could be used to empower communities and eliminate racial and ethnic disparities. The Coalition of Communities of Color partnered with researchers from Portland State University, as well as local community organizations, to implement a community based participatory research project into the lived realities of communities of color in Multnomah County.

This project will produce seven research reports. The first, *Communities of Color in Multnomah County: An Unsettling Profile* (released in May 2010), covered communities of color in the aggregate. This is the second report, focused on the Native American community, and the first in a series of community-specific reports. Five more reports will follow that profile the Latino, African American, African immigrant and refugee, Asian and Pacific Islander, and Slavic communities. As each report documents the range of racial disparities and inequities that face communities each, accordingly, is subtitled, “*An Unsettling Profile.*”

This report is the result of three years of work of true partnership between the Native American community, the Coalition of Communities of Color and Portland State University. The Portland Indian Leaders’ Roundtable, an alliance of 28 local Native American organizations, tribal organizations and Native focused programs within larger institutions, took a lead role in the implementation of the Native American research. Elders of the community reviewed the work and provided invaluable knowledge and historical context.

We recognize that the reader may indeed be unsettled by this work and the depth and breadth of disparities facing the Native American community in Multnomah County. However, we ask that you also see the resiliency and strengths of the community and recognize the opportunity that this report represents for creating a new policy environment that supports the Native American community. We hope that the findings arm the community with accurate data and advocacy methods needed to communicate effectively to change policies, and provide public agencies with the data necessary to reinvent systems in a fair and equitable manner.

Our main priority is to advocate for policy decisions that improve outcomes for the Native American community. We hold institutional reform and the formation of a powerful racial equity advocacy coalition as central to improving outcomes. This report builds an important knowledge base from which to advocate and to educate. Educating our community and the community at large about the Native American community is crucial to achieving racial equity.







Coalition of  
Communities of  
Color

***We seek to unite people in collective action for the advancement of racial equity.  
It is time to act.***

Sherry Addis  
*Portland Area Office Supervisor*  
Confederated Tribes of Siletz Indians

Rose High Bear  
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Wisdom of the Elders

Terry Cross  
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## Executive Summary

Today, the Native American community in Multnomah county<sup>1</sup> exists as a testament to resilience and resistance. We are a community that has endured much hardship, and we are determined to build a positive future for all our members.

We are the 9<sup>th</sup> largest urban Indian population in the USA. We are home to 28 Native organizations in the Portland area, run by and staffed with Native people, whose combined resources represent over 50 million dollars in revenue that go to local taxes, businesses and services.<sup>2</sup> The legacy of pride and resilience has resulted in the development of a powerful core of advocates in the region. This grit and determination has, ultimately, led to the emergence of a robust and vital Native American presence in Multnomah county.

We appeal to the broader community to recognize and commit to solutions that are built in partnership with the Native American community, and to enact commitments that recognize that prosperity and well being for all in Multnomah county depends on the prosperity and well being of the Native American community.

We continue to recover from the legacy of colonization, and the practices of various governments that have alternated in approaches to public policy. A brief walk through history reveals the substance of our oppression. Genocidal policies existed in numerous ways: bounties were placed on our lives in several eastern US states (early 18<sup>th</sup> through 19<sup>th</sup> centuries), and California's governor advocated our extermination in 1851.<sup>3</sup> Our lands were taken through outright breaches of treaty laws, as the US has broken over 500 treaties with our peoples – a number unmatched with any other array of nations.<sup>4</sup> Denial of our citizenship occurred until 1924, but many states, Oregon included, denied our voting rights until the federal government stepped in with the Voting Rights Act of 1965. Our faith traditions were outlawed until 1993, and our children were forcibly removed from our care and placed in residential schools, stripping our youth of culture and community.

More than 60 of our Tribes in Oregon were terminated by the federal government in 1953. Termination meant revoking tribal sovereignty and government responsibilities to Native peoples, as well as claims to reservation land and unique identity.<sup>5</sup> While done under the guise of the then-liberal notion of assimilation, the policy also meant our protected resources were taken from us, with millions of acres of land removed from our stewardship. Thousands of our Native women (and some men) were forcibly sterilized or coerced into sterilization when in the justice, mental health, and child welfare systems. Adding to this, we have been forcibly moved from productive lands several times through history, with the most recent being in 1956 when we were forced from reservations and into poor urban areas – with little more than a one-way bus ticket. It is this recent history which is a key factor in how Portland has emerged as the 9<sup>th</sup> largest Native American population in the USA.

Unfortunately, we could go on to profile many more dimensions of the devastating relationships we have encountered with various levels of the US government. Those who read the full report will engage more fully with these details. But the key point we want to make is that while these historic events have enacted a legacy of oppression, these are not just matters for the history books. First, they indicate the damages and pains inflicted on our community, recovery from which is a central feature of our experience. Our tasks include reclaiming our spirituality, recovering from the damaging myths that infuse our psyches, building and rebuilding our community strengths and resources, and finding our way in dominant society at the same time as protecting and nourishing our culturally-specific resources. We remain a resilient community. The second key point is that these are not just events of history – damage continues to be done to our community through a wide-ranging spectrum of institutional racism, detail of which is contained within the fullness of the pages of this report.

The findings of this report detail an array of disparities, including the following:

- Poverty rates in our community are triple those in White communities. Our average poverty rate is 34.0%, while that of Whites is 12.3%. With children and single parents, rates climb steadily. Our child poverty rate is 45.2%, which is almost four times higher than the White child poverty rate of 14.0%.
- Family poverty is particularly intense – with rates more than four times higher than Whites, deepening when single parents lead the family, and also deepening when there are responsibilities for younger children – with a poverty rate of 79.1% for single mothers raising children under 5.
- Our poverty rates are deteriorating rapidly, while those of Whites remain largely stagnant at much lower levels. For example, the poverty rate among our Elders has jumped from 9% to 21% between 2000 and 2009 while the rate of Whites has moved from 6% to 10%.
- Our incomes are typically half that of Whites regardless of our living arrangements. For example, married couples raising children try to get by on \$50,540/year while White families live with (on average) \$80,420/year.
- Our unemployment rate, in 2009, was 70% higher than Whites.
- More than 20% of Native Americans experience hunger on a regular basis (at least monthly).
- More than ½ of our students do not graduate high school (53.4%). In Parkrose and David Douglas, 80% of our students do not graduate. Centennial has the best graduation rate of Native Americans, at 66.7%.

- Among our graduating students, only 54% enter higher education. This level is worse than our best rate of 70% reached in 2001.
- Access to health insurance deteriorated rapidly from a high of 88% in 2000 to today's level of 76%.
- While crime rates drop across all communities, Native American adults are just as likely to be involved in the corrections system; over the last decade, the involvement rate for Whites has dropped significantly.
- We are incarcerated at almost double the rate of Whites.
- We are the victims of violent crimes at rates 250% higher than Whites.
- Our youth are charged by the police at levels three times higher than their numbers warrant. Once involved with the system, our youth are much more likely to deepen their involvement by being detained and less likely to be diverted away from the justice system and more likely than Whites to enter the chronic re-offender population.
- Decades of attention to the needs of our community finally was responded to by the creation of a set of separate legislative regulations for our families (called the Indian Child Welfare Act, or ICWA), while levels of our children removed from their families and placed into foster care settings reached as high as 35%. Despite this history, today we face the reality that 22% of our children in Multnomah county are taken from their families. This egregious rate is 20 times higher than that of White children. And this exists despite research that tells us Native parents do not abuse their children more frequently than White parents.

When we look at the comparison data between the situation facing Native Americans here and in other regions, we see signs that our distress runs deeper than elsewhere. To begin, Native Americans face deeper economic challenges here than compared with national averages for our community. Whether measuring income or poverty, our data deteriorates as we move closer to Multnomah county. For example, almost one-in-three local Native families live in poverty, while one-in-five Native families live in poverty nation-wide. Obviously neither rate is acceptable, but local conditions are significantly worse. In another example, home ownership levels are 50% lower here as only 37% of our community owns a home. At the national level, 56% of Natives own their homes.

Not only is our data weaker than national averages, it is confounded by disproportionality in conditions facing Natives and Whites. Native Americans incur a financial "hit" by living here, while Whites gain a "perk" compared with national averages. For example, the average Native per capita income is \$3,336

less than the national average, while the average White per capita income is \$1,005 higher than the White national average.

Current institutional disparities are the result of thwarted access to needed resources and decision making practices that narrow our access to beneficial services and expand our involvement with punitive services. We face significant disparities in accessing prime mortgages, being treated equitably in school discipline, accessing needed resources such as health insurance for our children, gaining subsidized housing, receiving a fair share of philanthropic grant dollars, accessing food from food banks and accessing homelessness services. These examples of the broad and deep disparities are expanded upon in this report.

And finally, disparities are illustrated through our comparison with King county (home to Seattle). When we compare our experiences of disparities with King county, the average size of disparities in key areas is 36% worse. One specific dimension is the holding of university degrees: locally, 42% of Whites hold university degrees while only 13.2% of Native Americans attain this level of education. In King county, more of both groups are able to gain such degrees, but the level of improvement is vastly superior for Native Americans there compared with here: in King county, 26% of Natives hold university degrees, while 48% of Whites hold these degrees. In total, the level of disparity in university education is much smaller in King county than here – explicitly, 47% smaller in magnitude than here in Multnomah county.

We seek equity, fairness, and a set of reforms that are entrenched in policy commitments that move the Native American community towards a brighter future. Now is the time for change.

## **Introducing the Native American Community of Multnomah County**

The journey contained within this report will trouble most readers, because it profiles the disparities and experience of our community. It consolidates data on our status today, and it is a distressing profile of the experiences of our peoples. Know, still, that we are a resilient people, working hard to command voice, visibility, and influence in mainstream society. Our voice is growing more powerful each day and our community is uniting in our rebuilding tasks and in our efforts to press for urgent reforms to address racial disparities.

Multnomah county rests on traditional village sites of the Multnomah, Kathlamet, Clackamas, bands of Chinook, Tualatin Kalapuya, Molalla and many other Tribes who made their homes along the Columbia River.<sup>6</sup> We can be credited with naming this county. Multnomah is a band of Chinooks that lived in this area.

The late 18<sup>th</sup> and early 19<sup>th</sup> centuries brought disease, genocide, military conflicts, dislocation, and rapid change to the indigenous populations of Oregon. Everywhere, Native communities suffered. Our

communities suffered greatly. By the end of this era, only one of ten Native Americans survived. While many Tribes suffered terrible losses, descendants of these Tribes were removed to surrounding reservations, and many moved back to Portland – partially through termination and relocation policies. Today these same communities celebrate their heritage, showing resilience in the face of genocidal efforts. Many publications on the history of Portland make reference to Tribes going extinct when these same Tribes’ descendants walk amongst us.

By the mid-19<sup>th</sup> century, most Native Americans in Oregon were forced onto reservations.<sup>7</sup> A series of federal decisions designed to eliminate and/or assimilate Native people followed this relocation to reservations. "Kill the Indian and save the man" summarized the philosophy behind many government policies of the era.<sup>8</sup> For example, the General Allotment Act of 1887 (referred to as the Dawes Act) sought to divide the communal land base of Tribes. The allotment program was meant to “extinguish tribal sovereignty, erase reservation boundaries, and force the assimilation of Indians into the society at large.” Similarly, the boarding school policies, which lasted from the mid-1800s through the 1960s, were meant to educate, “civilize,” and assimilate indigenous youth into Western society.<sup>9</sup>

In 1880, Oregon became home to a boarding school for the Northwest’s Indian children, Chemawa Indian School. Chemawa, originally located in Forest Grove, began with a class of 18 students from reservations in Washington State. In 1885, the school moved to a site north of Salem. Enrollments at Chemawa grew such that by 1900, Chemawa had 453 students. By 1913, the school had 690 students, including 175 Alaskan Native children. Chemawa’s enrollment peaked in 1926 when almost 1,000 students were enrolled. During the 1930s funding for the school was cut and enrollments dropped, but special programs to increase enrollment – such as one for Navajo students and another emphasizing recruitment of students from Alaska – were started in the 1940s and 50s. Begun in the 19<sup>th</sup> century, Chemawa, still operating north of Salem, is the oldest continuously operating Indian boarding school in the US.<sup>10</sup> Chemawa stands as an example of our convoluted relationship with governments – for as Chemawa was originally a site to place children removed forcibly from their homes, it has since been placed under Native American control and has become (belatedly) a source of pride for the achievements of students moving through this school.

In the early 20<sup>th</sup> century, facing dwindling resources in their home communities or coming out of boarding schools like Chemawa (after being removed from their families), Native Americans pursued new opportunities for waged work in the city in World War I industries.<sup>11</sup> As a regional center of industry, Portland could provide Native Americans with jobs in construction, the railroad industry, shipping, mills, and factories.<sup>12</sup> Migrants came from several reservations within a few days of travel. In addition, Pacific Northwest Indians continued to travel to fishing sites and encampments along the Columbia River as they had for centuries and perhaps longer. When the fish runs were over for the season, Portland could serve as a place to sell fish and other wares or a place to work.<sup>13</sup> Yet inclusion of our people was barred as Natives were not allowed to live within the city limits until the 1920s.

During World War I, more than twelve thousand American Indians served in the United States military.<sup>14</sup> However, even as Native Americans supported the war through their labor or military service, they were not yet citizens. The Indian Citizenship Act of 1924 extended citizenship to Native Americans. Unfortunately, citizenship did not confer the benefits of enfranchisement, as many states denied suffrage to all or at least some tribal peoples. For many Native Americans, the situation had not improved by World War II.<sup>15</sup> Notably, more than 44,000 American Indians, out of a total Native American population of less than 350,000, served with distinction between 1941 and 1945 in both European and Pacific theaters of World War II.<sup>16</sup> Yet battles for enfranchisement of Native voters continued well after the war concluded; as one court noted in a 2001 decision, “There is ample evidence that American Indians have historically been the subject of discrimination in the area of voting.”<sup>17</sup>

Migration of Native Americans to cities accelerated during World War II. While the population of Native Americans grew in cities around the country, migration to places with war industries and military installations, such as Portland, experienced the heaviest migration.<sup>18</sup> Native Americans supported Portland’s wartime industry, joining the throng of workers moving into Vanport to work in the Kaiser shipyards.<sup>19</sup> Among the Turtle Mountain Tribe of 12,000 members, half joined the war effort and worked at Vanport. Kaiser Industries applauded this role by honoring workers in a ceremony at the Swan Island yards to christen the newly built USS Pendleton. The Indian workers of the yard were guests of honor at the ceremony and the luncheon that followed.<sup>20</sup> This ceremony not only shows the significant role Native Americans played in Portland’s wartime industry, but also is illustrative of the increasing presence of Indians in Portland. Many of our Elders today are those who grew up together in the Native section of Vanport.

Post-war, a new set of federal policies pushed many Native Americans into Portland and other cities. “Termination” served as the catchphrase that described the assumptions and ideas behind this change in federal Indian policy. Termination meant revoking tribal sovereignty and government responsibilities to Native peoples, as well as claims to reservation land and unique identity.<sup>21</sup> Termination was championed by Douglas McKay, former governor of Oregon and secretary of the interior under Dwight Eisenhower. McKay felt that Oregon should be a showcase for the new era of policy. McKay argued that termination would bring Oregon Indians “full and equal citizenship,” even as Oregon law at the time continued to prohibit the marriage of an Indian and a non-Indian, providing fines and imprisonment for both the officiating minister or public official and the couple.<sup>22</sup> Oregon’s anti-miscegenation laws were not repealed until 1951.<sup>23</sup>

The federal government set the stage for expanded termination of Tribes when in 1953, Congress adopted House Concurrent Resolution No. 108, which declared that federal benefits and services to Indian Tribes should be ended “as rapidly as possible.”<sup>24</sup> Termination of federal recognition of many Tribes began in 1954. More than 60 different groups in Oregon were terminated, as well as 109 groups across the USA.<sup>25</sup> These groups had their governments abolished, lands taken and social services revoked. Oregon was the state with the highest concentration of terminated Tribes.



Upon termination, approximately 864,820 acres of Indian trust land in Oregon was sold, about 35% of the lands sold under termination across the nation.<sup>26</sup> Thus, while touted as “setting free” the Indian from second-class citizenship,<sup>27</sup> termination meant Native Americans’ remaining resources were “set free” as well. Termination eased private access to Indian trust lands where some of the state’s remaining resources were located,<sup>28</sup> such as the thousands of acres of virgin timber held by the Klamath tribe in south-central Oregon.<sup>29</sup> The breakup and loss of Indian control over reservation land that followed termination resulted in the displacement of over 4,000 Native Americans in Oregon, fueling Indian migration to Portland.<sup>30</sup> Tribal termination also resulted in loss of health care coverage under the Indian Health Service as well as access to tribal schools. Fishing and hunting rights were terminated. Termination increased poverty rates, partially as a result of business taxes being imposed on industry that had previously occurred on Tribal lands (and thus exempt from federal business tax). Following termination, Native families came to Portland seeking waged employment and a new place to call home.

Federal Relocation Policy, which began in the 1950s, also contributed to the growth of Portland’s Native population. Relocation was championed by Dillon Myer, named Indian Commissioner in 1950. Myer proposed a “mass exodus” of Indians to cities, which he claimed would integrate Native Americans into American society while at the same time depopulating reservations so that they could reach a point of “self-sufficiency” and no longer require federal services.<sup>31</sup> In 1952, Operation Relocation became public, moving Native Americans to cities such as Portland with some minimal government assistance.<sup>32</sup> Recruitment for the program was often coercive and the goals and assumptions guiding the relocation policy were terminationist in nature.<sup>33</sup>

During this era, Portland became home to several vocational schools that were part of the Adult Vocational Training (AVT) Program under relocation policy. Under this program, Native Americans moving through relocation could be placed in a vocational school when they reached the city. Racist ideas, however, about the position of non-White people in the workforce circumscribed the opportunities available to those enrolled in the AVT. Federal guidelines stipulated that the AVT was not designed to support academic or professional study, and training was tied to ideas of gender and cultural appropriateness (e.g. auto mechanic training for males, general secretarial training for women).<sup>34</sup> Many program participants found themselves dealing with coercive and controlling program officials and the negative consequences of relocation.<sup>35</sup> Those who relocated often found low-wage work, racial discrimination, poverty, deteriorating urban conditions, social isolation, alienation, and loneliness at the end of the path of relocation.<sup>36</sup>

By 1960, however, signs of an established, active Native American community in Portland appeared in the form of Native-specific community organizations and broadly sought improvements in education and employment that would heighten the quality of life for Native Americans. The Voice of the American Indian Association (VAIA) and Portland American Indian Center (PAIC) provided opportunities for Indians to engage with other Native people or to participate in cultural activities in Portland.<sup>37</sup> As a central

gathering place for many Tribes, as well as the desired location for numerous Native organizations, the area also became a desired space for regional and national Native centers. With the injection of funds to Native activities (particularly through Lyndon Johnson’s anti-poverty initiatives, and expanded upon by Richard Nixon), resources began to move into Portland – which, in turn, supported the development of our organizations, our leadership and our people. For the first time (circa 1970s), funding for Native activities and organizations was available outside of the Bureau of Indian Affairs<sup>38</sup> (with its mostly despised bureaucracy and assimilation policies and which had been responsible for residential schools) and our organizations began to build a stronghold in the human service landscape.

From the 1960s into the 1970s, the children of Native American migrants from the 1940s and 1950s came of age and began their own families. In addition, Native American migration to cities continued. Recent arrivals continued to flow into Portland, including veterans returning from Vietnam and students (including many of those from Chemawa) going to college in response to minority recruitment efforts.<sup>39</sup>

During this time, the impact of national currents, such as the Red Power and American Indian movements and a new generation of Indian leaders, was being felt across Oregon. Claiming the rights of heritage, land ownership, and the illegitimacy of European “settlement,” these movements helped shift dominant discourses of the history of the USA and advocated for indigenous peoples. Politically conscious Native Americans established new organizations to address the social problems many Natives faced in the city and around the state by the early 1970s.<sup>40</sup> Redressing the problems of termination was a major focus. The efforts of Native activists were rewarded: the Confederated Tribes of the Siletz Indians regained federal recognition in 1977. The termination status of the Cow Creek Band of Umpqua, the Confederated Tribes of Coos, Lower Umpqua and Siuslaw, the Confederated Tribes of Grand Ronde, the Klamath, and the Coquille Tribe also subsequently was repealed by Congress.<sup>41</sup>

While this restoration of six Oregon-based Tribes represents a major victory for Native Americans in the state, termination remains a bitter reality for some Tribes in Oregon; the effects of termination linger even for Tribes who have been re-instated. Many Tribes were not recognized again until the 1980s – a fact that has a harmful effect on Native identity. Consider the impact of having one’s Tribe terminated (and perhaps reinstated) by the government. This influences one’s willingness to self-identify as a Native American. Accordingly, we have a significant and longstanding challenge with population undercounts, as will be addressed more fully in this report.

As our activist leaders build voice and influence, a perpetual gaze has been focused on land rights. One such effort was the creation of the 13<sup>th</sup> Regional Corporation. The Alaskan Native Claims Settlement Act of 1971 was aimed at protecting the legacy of Native Alaskan resources. To accomplish this, twelve regions were created in Alaska to represent the interests of our people. Since settling the land claim, Alaska became a magnet for business interests, and exploitation of our resources began in earnest. These oversight corporations created Native “stockholders” to oversee distribution of federal funds and profits from business activities.<sup>42</sup> Non-resident Alaskan Natives were not represented – and the 13<sup>th</sup>

Regional Corporation was created to achieve the same goals, but for those of us scattered outside of Alaska. This organizing effort was centered in Portland at the Alaska Native Association of Oregon, and the 13<sup>th</sup> Regional Corporation received federal recognition in 1975. The 13<sup>th</sup> Regional Corporation was located in Portland until they moved to Seattle in the 1990s.

Today, we are the 9<sup>th</sup> largest urban Indian population in the USA. We are home to 28 Native organizations in the Portland area, run by and staffed with Native people, whose combined resources represent over 50 million dollars in revenue that go to local taxes, businesses and services.<sup>43</sup> The Portland Indian Leaders' Roundtable (PILR) is an alliance of local Native organizations, working to educate key audiences on the Native American community's strengths and concerns. Several local Native organizations are profiled below.

The Native American Rehabilitation Association (NARA) began in 1970 to respond to the substance abuse issues of our community. The failures of mainstream services in providing treatment for our community inspired the founders to define services based on Native culture and wisdom.<sup>44</sup> Pride in Native heritage was (and is) fostered with participation in powwows, sweat lodges, the Sun Dance, storytelling, the study of Native spirituality, and mutual aid. Since its beginning, NARA has expanded services to include outpatient substance abuse, residential family treatment, transitional housing for Native women and children, primary health care, and a family resource program. It is soon to open Totem Lodge, a comprehensive mental health resource.<sup>45</sup>

The National Indian Child Welfare Association (NICWA) responded to the failure of child welfare providers to meet our community's needs. By 1983, both conventional child welfare and Tribal systems were in need of knowledge, resources and research to understand our community and our children's needs. Training of these workers was the top priority and services became available through a partnership among the Parry Children's Center, Portland State University, and northwest Tribes. After determining the need for this resource to be firmly under Native American control, NICWA was formed. The historic training emphasis continues today, and the organization has added information exchange, community development, and public policy analysis.<sup>46</sup> It has grown into a national voice for Native American children and families.

The Native American Youth and Family Center (NAYA) began in 1974 as a cultural resource for our communities. Today its mission is "to enhance the diverse strengths of our youth and families in partnership with the community through cultural identity and education." As an urban Indian agency, NAYA Family Center serves over 1,400 youth and their families from over 380 tribal backgrounds annually. NAYA operates on the belief that traditional cultural values are integral to regaining sovereignty and building self-esteem. NAYA Family Center is a mission-driven organization that values respect for the environment, places the larger community before the individual, and involves Elders. We promote healthy living through positive alternatives to high-risk behaviors, and we promote the values of sobriety, family stability, culture, active lifestyles, and education.

We seek equity and fairness, and a set of reforms that are entrenched in policy commitments that move the Native American community towards a brighter future. Now is the time for change. We make the following recommendations for addressing the needs of the Native American community and the plurality of all communities of color.

- 1. Reduce disparities with firm timelines, policy commitments and resources.** Disparity reduction across systems must occur and must ultimately ensure that one's racial and ethnic identity ceases to determine one's life chances. The Coalition urges State, County and City governments and school boards, to establish firm timelines with measurable outcomes to assess disparities each and every year. There must be zero-tolerance for racial and ethnic disparities. Accountability structures must be developed and implemented to ensure progress on disparity reduction. As a first step, plans for disparities reduction must be developed in every institution and be developed in partnership with communities of color. Targeted reductions with measurable outcomes must be a central feature of these plans.
- 2. Expand funding for culturally-specific services.** Designated funds are required, and these funds must be adequate to address needs. Allocation must recognize the size of communities of color, compensate for the undercounts that exist in population estimates, and be sufficiently robust to address the complexity of need that is tied to communities of color.
- 3. Implement needs-based funding for communities of color.** This report illuminates the complexity of needs facing communities of color, and highlights that Whites do not face such issues or the disparities that result from them. Accordingly, providing services for these communities is similarly more complex. We urge funding bodies to begin implementing an equity-based funding allocation that seeks to ameliorate some of the challenges that exist in resourcing these communities.
- 4. Emphasize poverty reduction strategies.** Poverty reduction must be an integral element of meeting the needs of communities of color. A dialogue is needed immediately to kick-start economic development efforts that hold the needs of communities of color high in policy implementation. Improving the quality and quantity of jobs that are available to people of color will reduce poverty.
- 5. Count communities of color.** Immediately, we demand that funding bodies universally use the most current data available and use the "alone or in combination with other races, with or without Hispanics" option as the official measure of the size of our communities. The minor over-counting that this creates is more than offset by the pervasive undercounting that exists when outsiders measure the size of our communities. When "community-verified population counts" are available, we demand that these be used.
- 6. Prioritize education and early childhood services.** The Coalition prioritizes education and early childhood services as a significant pathway out of poverty and social exclusion and urges that

disparities in achievement, dropout, post-secondary education and even early education must be prioritized.

- 7. *Expand the role for the Coalition of Communities of Color.*** The Coalition of Communities of Color seeks an ongoing role in monitoring the outcomes of disparity reduction efforts and seeks appropriate funding to facilitate this task.
- 8. *Research practices that make the invisible visible.*** Implement research practices across institutions that are transparent, easily accessible, and accurate in the representation of communities of color. Draw from the expertise within the Coalition of Communities of Color to conceptualize such practices. This will result in the immediate reversal of invisibility and tokenistic understanding of the issues facing communities of color. Such practices will expand the visibility of communities of color.
- 9. *Fund community development.*** Significantly expand community development funding for communities of color. Build line items into State, County and City budgets for communities of color to self-organize, network our communities, develop pathways to greater social inclusion, build culturally-specific social capital, and provide leadership within and outside our own communities.
- 10. *Disclose race and ethnicity data for mainstream service providers.*** Mainstream service providers and government providers continue to have the largest role in service delivery. Accounting for the outcomes of these services for communities of color is essential. We expect each level of service provision to increasingly report on both service usage and service outcomes for communities of color.
- 11. *Name racism.*** Before us are both the challenge and the opportunity to become engaged with issues of race, racism, and whiteness. Racial experiences are a feature of daily life whether we are on the harmful end of such experience or on the beneficiary end of the spectrum. The first step is to stop pretending race and racism do not exist. The second is to know that race is always linked to experience. The third is to know that racial identity is strongly linked to experiences of marginalization, discrimination and powerlessness. We seek for those in the White community to end a prideful perception that Multnomah county is an enclave of progressivity. Communities of color face tremendous inequities and a significant narrowing of opportunity and advantage. This must become unacceptable for everyone.

Advancing racial equity depends on eliminating the multitudes of disparities profiled in this report. We aspire to catalyze an understanding of the challenges facing communities of color and to provide us all impetus to act, to act holistically, and to act under the leadership of communities of color who have the legitimacy and the urgency to remedy many of the shortcomings that besiege Multnomah county.

## Population Counts

The counting of a community is a deeply political issue – when numbers are low, it is hard to lay claim to society’s resources or apply more than tokenistic responses to community needs. Attention to community needs is significantly narrowed by lack of visibility within data. And the ways that communities are defined and identified to be counted shows how political processes designate, legitimate, and reward particular ethnic boundaries and preclude others.

There are, quite simply, different ways the Native American community can be counted. For example, take the way that different “official” counts produced by the US Census Bureau are chosen and utilized by policy-making bodies. How can official counts be “different”? The US Census Bureau now allows people to complete more than one box to define their racial and ethnic identity. This means that the fullness of one’s racial identity can be expressed. However, because of how the data related to people with multi-racial identifiers gets inappropriately ignored by policy makers for some groups, what ends up happening is that the experiences of Native Americans are obscured, rendered invisible, and denied.

How does this happen? Currently, official Census Bureau counts (including the Bureau’s American Community Survey, or ACS) can be tallied for people who either mark one “race” box or people who multiply identify with more than one race. Figures for people who mark/choose only one racial identifier are reported under “alone” statistics, while people who choose more than one identifier are reported under “alone or in combination” figures. For the Native American community in Multnomah county, 2009 ACS estimates of the population show 10,486 people as American Indian and Alaska Native *alone*<sup>47</sup> and 21,533 as American Indian and Alaska Native *alone or in combination* with one or more other races.<sup>48</sup> This means that about half of the Native American population in the county identifies as only one race. Our point here is that much of our community is what is typically known as “mixed race” and thus disappear when researchers and policy makers use our “alone” figures to define the size of our community. Not only is the community typically known as mixed race, but there is a cultural norm in the Native community that affirms the fullness of one’s heritage when one self identifies – a practice that runs contrary to the conventions of policy on racial identification.

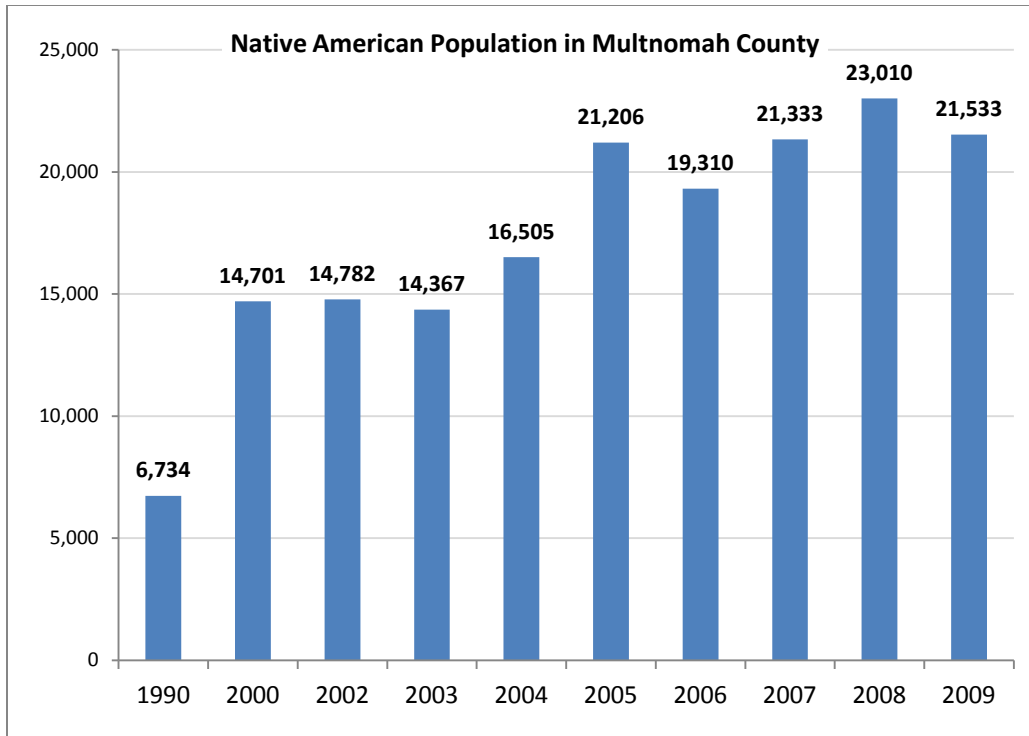
The reach of this issue is significant because standard practice among policy-making bodies is to use “alone” figures when determining the “official” size of the Native American community. But why is ignoring half of the Native population considered a legitimate practice? In large part, this happens because different socio-political conventions have been applied to who counts for different groups in ways oppressive to Native Americans. These conventions are often assumed to be natural or obvious, but in truth are not, nor are they universally applied. For example, because of the way the US Census Bureau categorizes “Hispanic or Latino” as an *ethnicity* rather than as a *racial* identity, all population estimates of the Latino community are, in a sense, “alone or in combination” numbers. At the national level, 47% of Latinos identify their *race* as White, while 53% of Latinos do not.<sup>49</sup> So, despite complex racial identities (deriving from a wide variety of mixed European, African, and indigenous ancestry) similar to those of Native Americans, all Latinos who choose a Latino identity “count” as part of the

Latino population, but disappear as part of the Native American population (if they are both Latino and Native American). Latinos have been able to successfully advocate for enfranchisement away from a numerically marginalized racial identity; Native Americans in Multnomah county seek to do the same.

A second issue is that of measures of ethnicity. In the USA, only one ethnicity dimension is collected – that of Latino identity. Again, the coding practices of some research departments grant primacy to the Latino identity, meaning that once someone is coded as “Latino,” that person fails to show up in any other subset of the data. What this means is that all Native Americans who are also Latino (as is frequent for those with an indigenous experience in Central or South America, and also within North American states such as New Mexico, Arizona, Colorado and California) are coded as Latino and disappear from the Native American population. We are the community most affected by this as a high percentage of our community is cross-identified as Latino and thus suffer the most with invisibility when this convention is used.

For these reasons, this report utilizes “American Indian and Alaska Native *alone or in combination, with or without Hispanic*” figures when they are available. It is important to recognize that even these figures likely represent a continued undercount of the Native community. This is because of the fact that many in our community do not participate in government surveys by intention or by omission (due to poverty-related issues such as frequent moves, lack of a telephone, or lack of a permanent address). While these figures are used throughout the report, we recognize that this shortcoming is pronounced in our community and have embarked upon the creation of our own “community-verified population count.” This approach is covered in the next section of this report.

Below, the reader will see a steady increase of the official population of Native Americans in Multnomah county. This marks an achievement for us as a people – rebuilding after historic and modern-day colonization. Remember, however, that this still is an undercounted measure of the size of our community.



Source: Census 1990, Census 2000 and American Community Survey, selected years.

Please notice that we are unable to indicate the population numbers for 2010. When the Census Bureau released their 2010 Census count figures in February and March 2010, we are not able to extract the number of Native Americans who are also Latino-identified. Accordingly, the only available number for our community in the Census 2010 is 18,011. We do not use this number as we know it is an incomplete measure of our community. In the coming year, more full Census 2010 figures will be released and will tell us the “official” Native American count in Multnomah county.

When considering the above population counts for our community, there are three important growth trends to note. The first is the US-wide growth since the turn of the 20<sup>th</sup> century: there were fewer than 250,000 Native people in 1900, but by 1990, there were nearly 2 million—this is an increase of almost 700 percent. Much of this increase has happened since the Civil Rights era. The number of American Indians enumerated by the 1950 Census was 357,499. By 1980, this number had increased to 1,354,033.<sup>50</sup> These numbers cannot be accounted for by birthrate, health advances, better Census outreach, or immigration, although our birthrate is significantly higher than the White community (in recent years, remembering that our birthrate was decimated mid-century by decades of forced sterilization).

Secondly, we can see in the above chart that there is significant population growth between 1990 and 2000. This trend can be seen even in the local figures from Census 1990 to Census 2000. Notice the 118% jump in Multnomah county’s Native population from 1990 to 2000. This is understood to be the result of several factors – firstly, improved efforts by the Census Bureau, with leadership and



participation flowing from community organizations within our midst to reach and enumerate those who do not participate in the Census counts. Notice that this effort is an official recognition that there is an undercount of many in our community. Secondly, population growth is also the result of high fertility rates.

Thirdly, and most importantly, there are abundant Native organizations and social movements that have sought to rebuild cultural pride, networking, leadership development, and community capital. With these efforts, more Native Americans are willing to both participate in the Census and to self-identify as Native. Much of this “jump” is part of an ongoing, sustained effort on the part of Native American communities to preserve, protect, recover, and revitalize cultural traditions, ceremonial practices, languages, and other bases of community. Growth in the number of Indian organizations and associations, newspapers, tribal colleges, and American Indian Studies programs, as well as increased political action, reflect a general renewal and reaffirmation of American Indian ethnicity. This reaffirmation is visible in US Census identification increases and the vitality of Native urban communities.

Research on this issue terms the dynamic “ethnic mobility,” which aims to identify the reasons that one might change one’s identity across time. Factors responsible include:

- Marriages and unions that result in a shifted identity within demographic datasets (due to a change in self-perception and/or once a union is created, the “head of household” identity determines the identity for the entire family)
- Among higher educated people living in cities such as Multnomah county, there is an increased likelihood to self-define as Native American once they feel safe or witness no repercussions
- Socio-political events that change awareness and heighten prideful identity as Native American
- The community’s own community and cultural development efforts
- Political and legal decisions (such as affirmative action, tribal recognition, or land claims settlements) that formalize one’s identity as part of the community<sup>51</sup>

Those who are least likely to self-identify as Native American are more likely to be poor, less likely to have additional racial identities (i.e. more likely to hold a “Native American alone” identity), and likely to have lower incomes.<sup>52</sup> In other words, the lower a person is on the socioeconomic ladder, the less likely they are to define as Native American. Given, as the reader will see, that we in Multnomah county hold a particularly precarious economic position in terms of income and education, it is more likely we are to suffer from a stronger undercount than many other regions in the country.

Thus, the legacy of repression and colonization still influences how likely someone is to self-identify as Native American. The penalties for coming to the attention of the state have varied widely over the years – including everything from disavowal of tribal celebrations, to tribal terminations (including seizure of land), to having Native children removed by the Department of Human Services, and through the boarding school era. Coupled with ongoing discrimination and harmful stereotyping, many Native

Americans still refuse to identify themselves as such to the array of canvassers, pollsters, and surveyors who come calling. While all communities of color face such problems (particularly as they are much more likely to be urban, poor, fearful of official canvassers, and in less stable housing arrangements), the Native American community's deep pain in relationships with the government accentuate this difficulty. There are, as a result, many within our community who choose not to participate in government-run surveys or the Census; also there are many who, if they participate, opt not to disclose their Native identity. Such action is an act of self-preservation and safety. And even if it results in less money flowing to the region (because money is tied to population counts), many among us see their choice to not participate as an act of resistance or safety.

But the impact of being undercounted compels us to remedy this practice and also to press for changes in both policy making and research that rely on conventional counts of our numbers. The financial impact of undercounting has been determined to significantly reduce funds from federal sources: each person undercounted in the Census results in a loss of \$1,439 per year to the region.<sup>53</sup> And when our community is undercounted, we disappear from view, particularly when the "alone" figures are used as a measure of our population. The reach of policy is tremendous, as it affects everything from whether or not sidewalks are installed in our neighborhoods, to whether or not funds for homeless supports get moved out of the downtown area, to decisions about whether or not HIV programs are made available in culturally-specific ways. With more accurate numbers, there will be a flow of more resources, more visibility, and more influence over both what policy decisions are made, and how such decisions are made.

To redress the undercounting issue, our community has initiated our own community count, as is detailed in the next section.

## **Community-Verified Population Count**

Our community is deeply undercounted. To redress this shortcoming, we must investigate other options for "counting" our community. The method selected by our community to determine the size of our community is to collect tribal registry numbers, and to triangulate these results with similar research conducted in other regions.

Tribal registries have enrollment figures for the local region. These registries are owned and operated by the Tribes and thus bypass the difficulties that the Census Bureau has in obtaining complete counts due to issues of distrust and histories of violence. Our initial exploration of these numbers shows that there is a total of approximately 40,783 tribal members in Multnomah county.<sup>54</sup> This figure shows us that our "official" (American Community Survey) measures undercount our community size by 47.2%.<sup>55</sup>

This variance is accounted for in the following ways:

- A confusing question on the ACS that asks for Native American identity, particularly due to the heightened emphasis in the ACS on “tribal enrollment” at the same time one is asked for one’s identity – meaning that it appears that a person needs to be tribally enrolled in order to define as American Indian or Alaska Native
- An ongoing fear of retribution and persecution from the state governing bodies since many among us lived through the residential schools era, the forced sterilization era and the child welfare “scoop” era (during which profound numbers of children were taken into child welfare custody – the effects of which led to the creation of the Indian Child Welfare Act)
- Ongoing practices of social and economic exclusion diminish the likelihood of Native Americans defining themselves as Native
- Poverty-related issues such as frequent moving, lack of a phone and homelessness that narrow possibilities to participate in such official surveys

In 2004 and 2005 several student interns and an Americorps VISTA volunteer took on a project to identify how many enrolled Tribal members resided within Multnomah County, under the direction of the Portland Indian Leaders Roundtable and close supervision by NAYA staff. The effort began with researching the names and tribal identities of people that had been listed as participants in Native non-profit programs over the previous three years and coming up with a comprehensive list of Tribes with members in Multnomah county. This list was then cross-referenced with the Bureau of Indian Affairs’ book of enrollment offices, as well as some individual research into state-recognized Tribes. Although close to 400 Tribes were identified in Portland, 320 Tribes participated in this research. This was an extensive project; the average number of phone calls and information requests were five per Tribe. It took significant relationship-building and follow-through as well as effort by the individual Tribes to look up the zip codes provided to find out how many of their members lived in Multnomah county. Some Tribes were only able to provide tri-county data, although it was the rare occasion.

In order to avoid duplication, these researchers only asked for membership. If one’s identity as a descendant was provided, it was included in the documentation, but not included in the actual numbers. This is because it is possible that someone who is listed as a descendent could be enrolled with another Tribe. Additionally, researchers only captured the number of shareholders for each of the corporations that were willing to participate in the State of Alaska – where there are over 240 Tribes (with 229 federally-recognized Alaska villages and at least 12 non-recognized tribes). This may be an undercount, as well, considering that not all enrolled Tribal members are shareholders in the 13 corporations, but it seemed to be the most accurate way to capture numbers of Alaska Natives.

One data challenge was that some Tribes had only tri-county membership numbers. The researchers have taken this into consideration in the analysis of the data collected in 2004. To adjust these tri-county figures, we have determined how many are likely to reside in Multnomah county (by weighting the numbers according to the distribution of official ACS counts). A second adjustment to these counts was needed to bring 2004 figures to the 2009 year (which is the reference year for the majority of data in

this report). We have used the ACS figures for birth rate (2.69%), the Multnomah County Health Department’s figures for death rates (0.817%), and calculated the population growth that is likely to have occurred between 2004 and 2010 (based on 1.87% annually).

Finally, we have needed to estimate the enrollment figures for the 20% of Tribes that did not participate in the research. To do this, we have calculated the average tribal size at 32 members. This was determined by averaging the size of the smaller 178 Tribes – deemed appropriate as the larger tribes did participate in the study, and used this figure to estimate the uncollected enrollment figures. This increases our count by 2,541 members. This number from 2004 needs to be increased according to population growth figures (again at a growth rate of 1.87% annually).

There is one remaining challenge with this population count. Many Native Americans are not enrolled in their Tribes, particularly in urban areas. At present, we do not have an estimate of the size of this undercounting. At this time, we do not have enough information to estimate the size of this dimension of the undercount.

<b>Community-Validated Population Count, 2010</b>	
Tribal counts from Multnomah county, 2004	25,782
Portion of tri-county counts attributed to Multnomah county, 2004	8,159
Population growth (1.87% annually) over the six years	4,001
Estimated count for non-surveyed tribes, 2004	2,541
Population growth (1.87% annually) over the six years	300
<b>Total Native American</b>	<b>40,783</b>

Source: Author’s calculations of data collected through community-based research in 2004 by the Portland Indian Leaders’ Roundtable.<sup>56</sup>

To compare our numbers with those levels researched in other communities, we find similar levels of undercounts within parts of Canada, made possible because of more comprehensive data collection practices. The researcher compared figures collected in two different parts of the same Census survey, Native “identity” and Native “origin.”<sup>57</sup> There are two different questions in the survey in these areas: identity refers to an ethnicity question, “what are the ethnic or cultural origins of this person’s ancestors?” The second question asks, “is this person an Aboriginal person?” and then goes on to ask if they are a member of an Indian band and whether or not they are registered under the Indian Act of Canada. The second question more closely approximates our racial identity questions in the ACS (the same as the Census questionnaire) and the first, if we had it, would be centered on ethnicity. Unfortunately, here in the USA, the only question about ethnicity that is asked is whether or not a person identifies as Latino. The only other closely related question is one’s ancestry – but that question specifically asks what country a person’s family comes from – and is thus irrelevant for capturing any details of Native American ethnicity.

There are two sources of research information in these Canadian studies. The first shows that there is a total Aboriginal undercount in Canada of 38.5% when one uses the identity question instead of the

“origin” question.<sup>58</sup> The “origin” (or ethnicity) questions generate a much larger population count. In the USA, neither the Census nor the American Community Survey asks such questions.

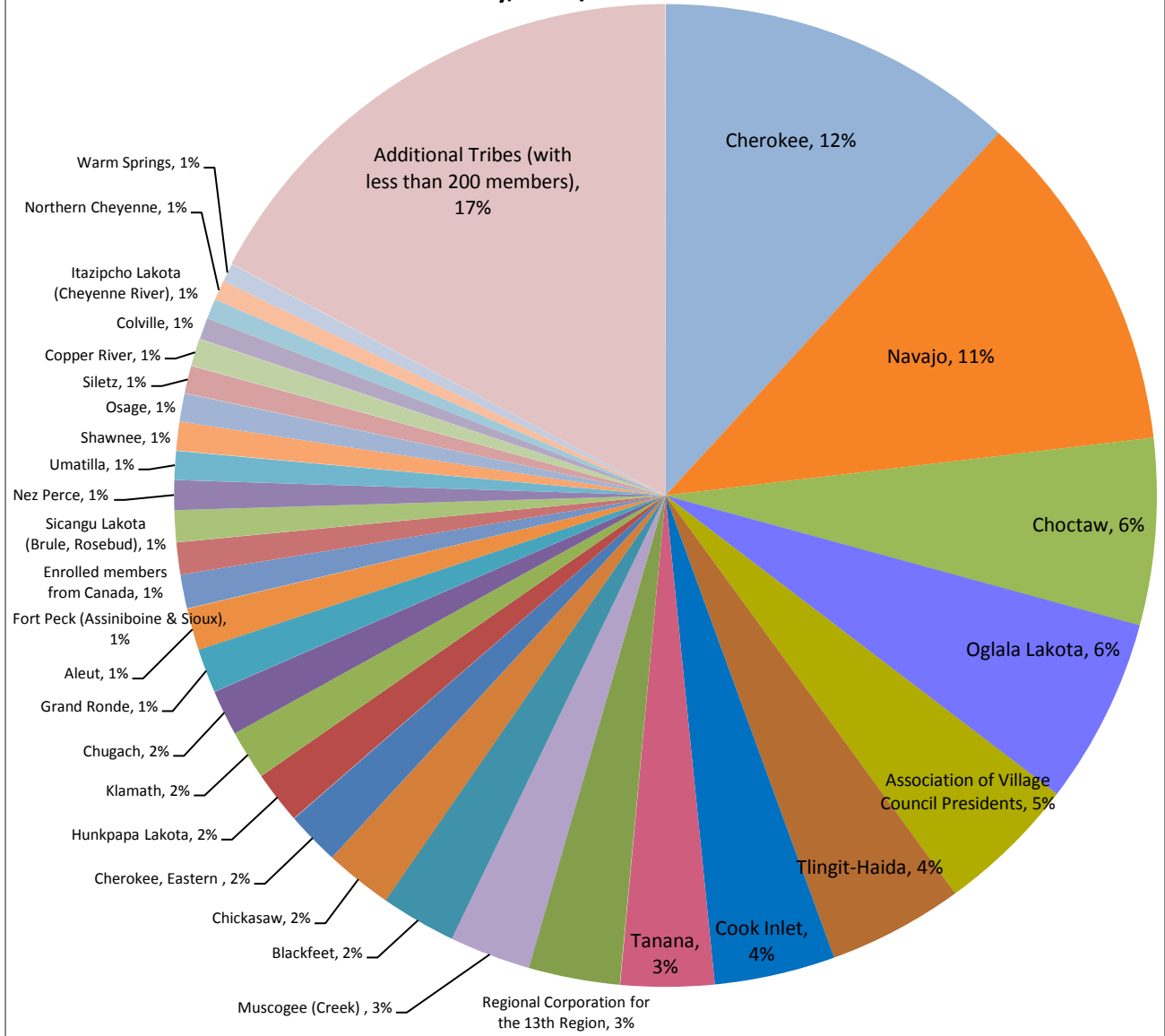
The second study looks at specific metropolitan areas across Canada and compares these same configurations of population counts. In this study, undercounts range from a high of 100% in Toronto to a low of 22.2% in Saskatoon.<sup>59</sup> To select an appropriate comparison region, we want to select one where the concentration of Native people and the city are both relatively small (ie. not Toronto or Vancouver). Two cities that are appropriate comparators are Edmonton (where the undercount is 50%) and Calgary (where the undercount is 100%). While this information does not provide any guidelines (or suggestions relating to the need) about how we might adjust our figures, they do suggest that our undercount estimates appear similar in effect and magnitude.

It is time for policy makers and researchers to recognize and affirm the full size of our community and to grant us access to be meaningfully included in the dialogues and decisions that influence us. We seek to build shared commitment to ensure that we can influence decisions and live a commitment to inclusion and equity. Our numbers are rebounding and our needs are significant. We aim to build Multnomah county into a region that commits to the motto: “nothing about us without us.”

## Population Demographics

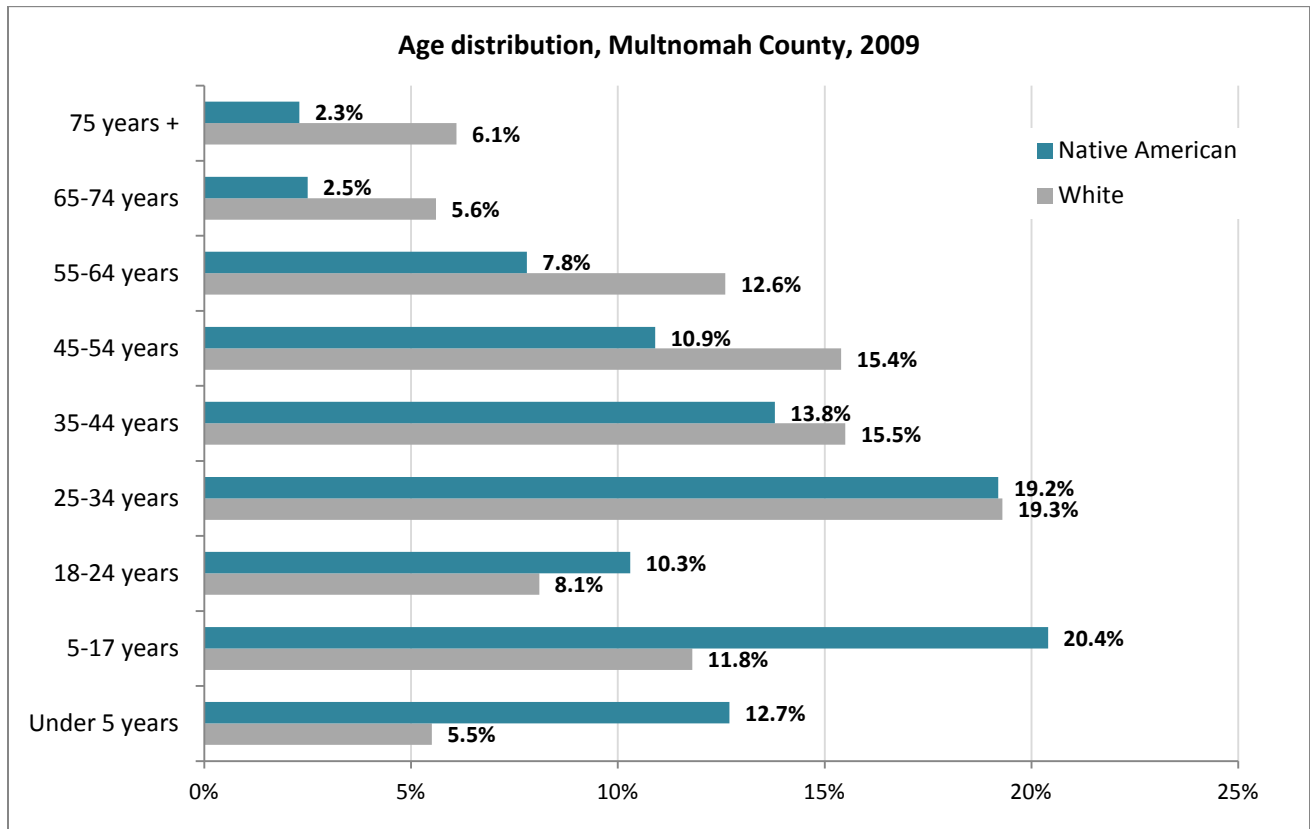
Multnomah county’s Native American population is very diverse, with descendents from approximately 400 Tribes.<sup>60</sup> While Tribes in the USA number over 2000,<sup>61</sup> tribal diversity is broad in this region. Tribes based in Alaska, Oklahoma, Arizona, South Dakota, Montana, New Mexico, Idaho, Minnesota, and California – such as the Cherokee, Choctaw, Navajo, and Blackfeet Nations, and Oglala Lakota and Nez Perce Tribes – contribute especially large numbers of tribal members to this community. In the chart that follows, we profile the composition of our Native communities with more than 200 members living in Multnomah county.

### Tribal enrollment in Multnomah County, 2004/05



Source: Portland Indian Leaders’ Roundtable Survey, 2006. Tribes of more than 200 members are included; those with less are consolidated as “additional Tribes.” Note that approximately 80 Tribes with local membership did not participate in this survey. For example we know that Chippewa Indians comprise one of the largest Native communities in this region but they do not show up on this chart. One of these Tribes is Turtle Mountain Band of Chippewa Indians, one of the largest Tribes in the region.

This tribally diverse community is very youthful, with 33% being under 18, compared to 17% of the White population. The portion of Native Americans who are youthful (under 35) is very large, at 63% (43% are under age 25). Indeed, the median age for Native Americans in Multnomah county is 28 years, compared to 38 for Whites. As we gain confidence in the power of voice and numbers, this youthful population will become an outspoken group, demanding an end to the harmful stereotypes and marginalization we face.



Source: Author's calculations from American Community Survey, 2009.

The Native American population is also growing rapidly, as the number of women who gave birth in the past year is 11%, which exceeds White births at 4%. The Native American population is the fastest growing of our communities of color. Our birth rate of 11% is markedly higher than Latinos (7%), African Americans (7%) and Asians (4%).<sup>62</sup>

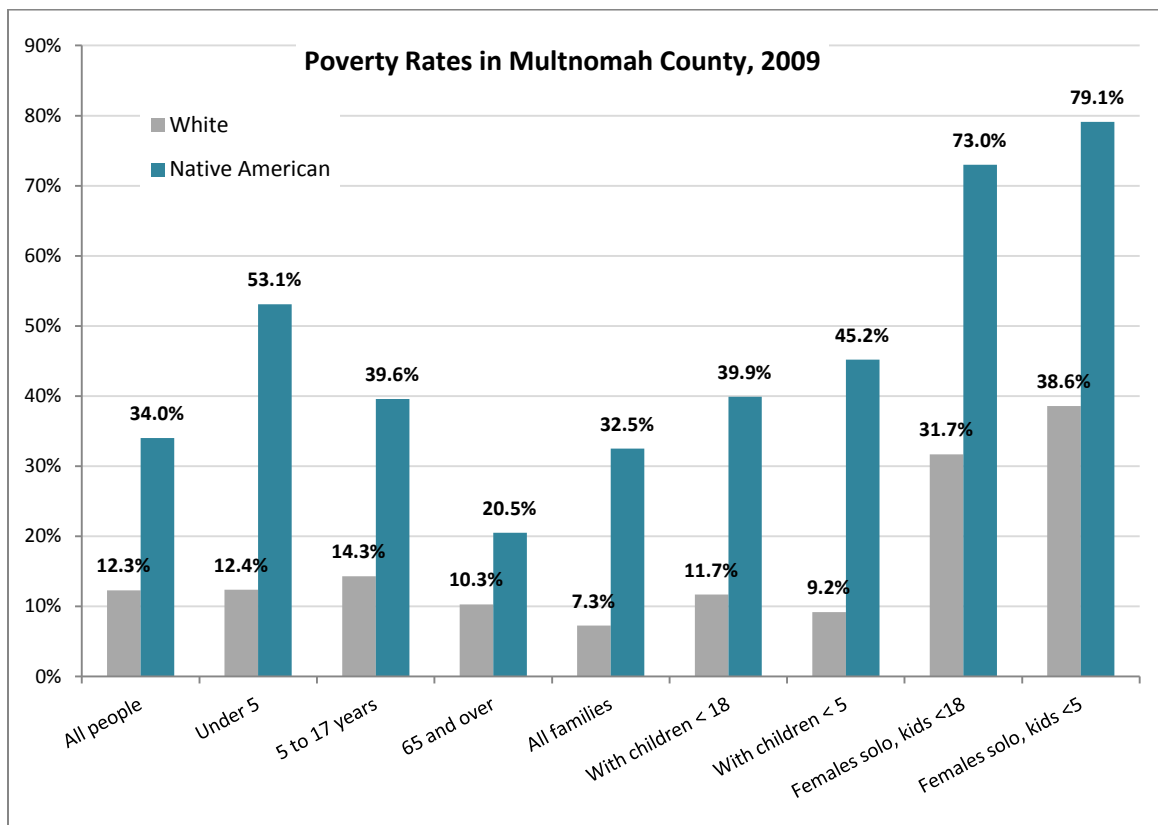
This growing population is spread out across the county geographically. Geographic distribution of our community illustrates the need to improve the distribution of human services. Within the county, there have been recent regional shifts. The geographic pattern of Native Americans in Multnomah county shows that since 1990, there have been population declines in central urban neighborhoods (except downtown, where numbers have grown) and increases toward the periphery of the Portland Metro area. In 2000, Native Americans could be increasingly found in the Brentwood-Darlington area of Southeast Portland, outer Southeast Portland, Gresham, and St. Johns.<sup>63</sup> Our best understanding is that movement outwards has followed lower housing values, as community members have taken measures to spread our paychecks as far as possible. Transitions of low income communities (with a disproportionate share of people of color within) have resulted in a deep disjuncture of available human services (which continue to be concentrated in the downtown Portland area) and populations in need.

We aim to remedy the current mismatch of services with the population and urge a more responsive and updated approach to service provision.

## Poverty Levels

Poverty rates within this community show that one-in-three Native Americans live in poverty in this county (34.0%), while only one-in-eight Whites (12.3%) are similarly poor.

We can see from the below graph that poverty rates are much worse for Native American families than for Whites. Our lowest levels of poverty exist among our Elders, where “only” one-in-five live in poverty (while just about one-in-ten White seniors live in poverty). At worst, among our single mothers raising children under five, eight-in-ten live in poverty (compared with approximately one-in-three such White families).



Source: Author’s calculations of American Community Survey, 2009.

Poverty rates deteriorate when looking at younger people. If you are under 5 years old (and our community is 13% under five, compared with 5.5% among Whites), and most vulnerable, as one has a more than one-in-two chance of living in poverty. The overall child poverty rate (those under 18 years)

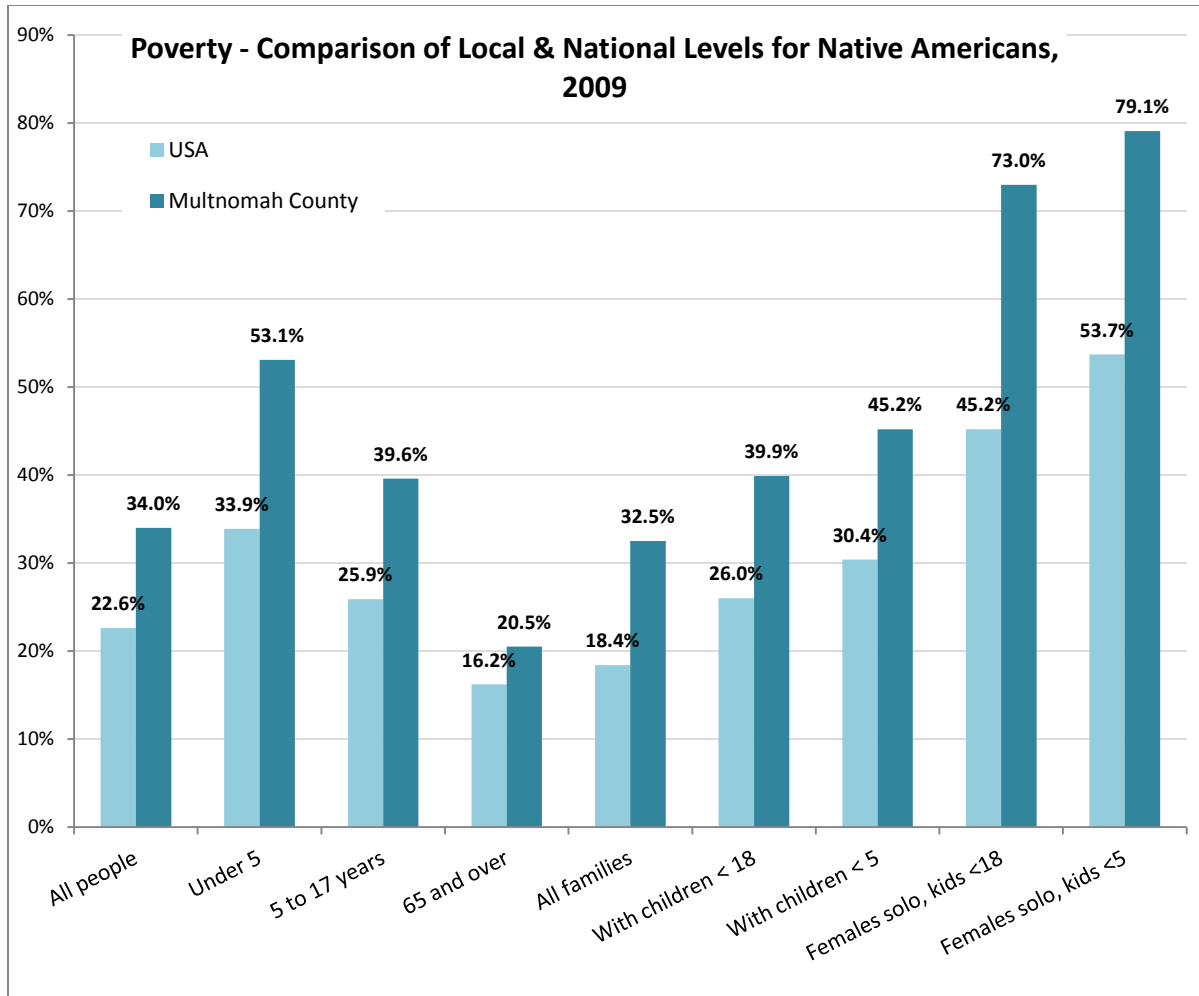


for our community is 45.2%, while that of White children is 14.0%. Any amount of child poverty is deplorable – and our community suffers from levels that are more than 300% higher than Whites.

Imagine what this must be like. Money allows parents to safety-proof their homes, escape mold and dank spaces in the cheapest of housing, replace broken cribs, hire tutors and babysitters when needed, and to be healthy and secure enough to reassure a scared or anxious child. Imagine having so few resources and security as you parent your children. Poverty must be fully appreciated for its depth and reach. Money buys the essentials of life – food, shelter, heat, transportation and healthcare. It also provides resources for parenting, as well as staves off illness, provides security to sustain one at school, and offers security to withstand job loss and risk-taking like going back to school.

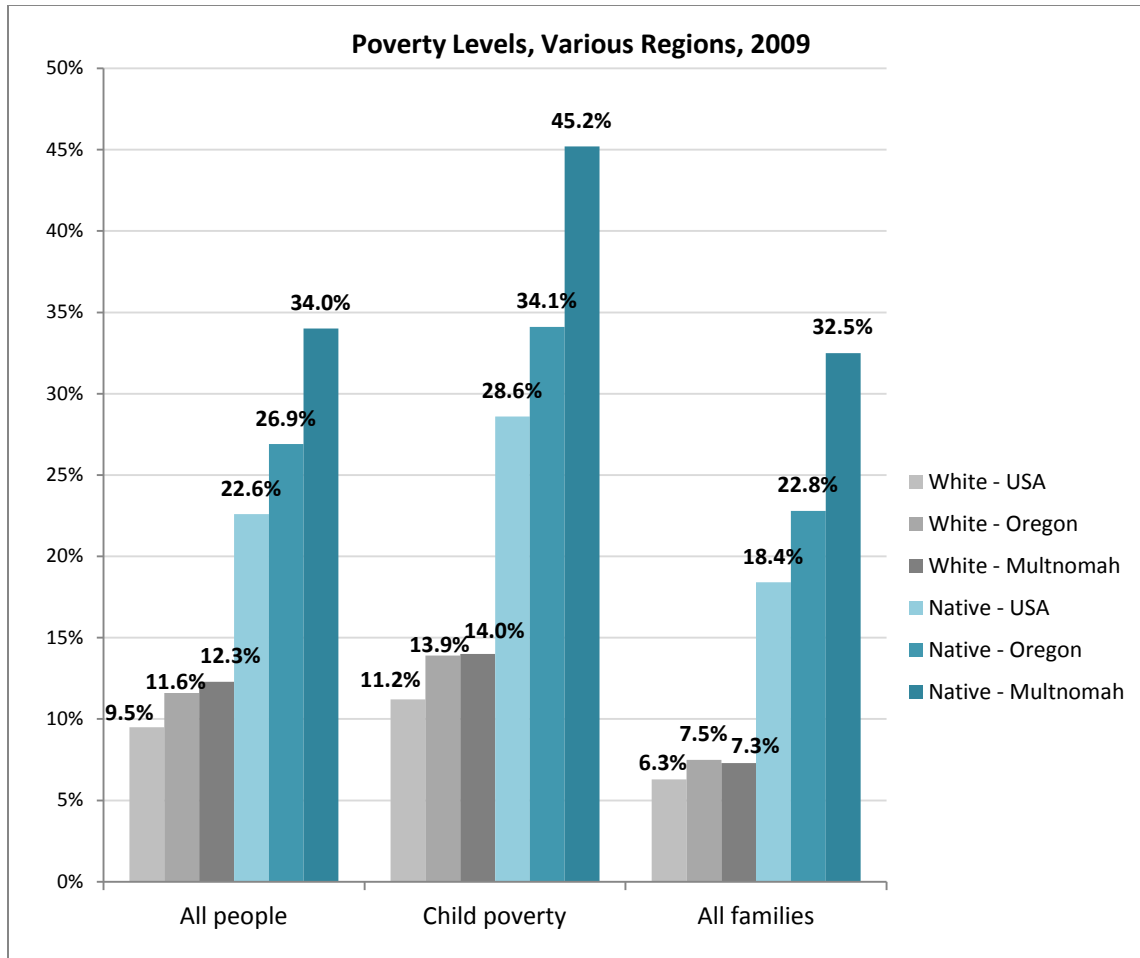
Single mothers have an extraordinary level of poverty with 8-in-10 single mothers raising their children in poverty. This is an incredible level of impoverishment that needs immediate attention at all levels of intervention. The urgency of this problem cannot be overstated. Deepening this crisis is the fact that education does not protect single mothers nor offer them a pathway out of poverty; the profile of this community of single women is diverse in education and degrees awarded.<sup>64</sup>The impact is that women with degrees and even graduate degrees are likely to be living in deep poverty, similar to non-educated women.

A startling trend is that the experience of Native Americans is much worse in Multnomah county than for Natives elsewhere in the nation. Below is a chart that compares the same poverty measures for Native Americans here locally with the national levels. We can see how much worse Native Americans fare here than elsewhere. The conditions facing Multnomah county's urban Indians are dire – the issue of urban poverty for our community must reach the highest levels of policy attention.



Source: Author's calculations of American Community Survey 2009.

In the above chart, we see local levels being at least 27% worse (for our Elders), and at most 77% worse (for all families). When we add the Oregon data to our analysis of regional variations in poverty rates, the disturbing pattern of the deep poverty levels in the local region for Native American communities becomes clearer.



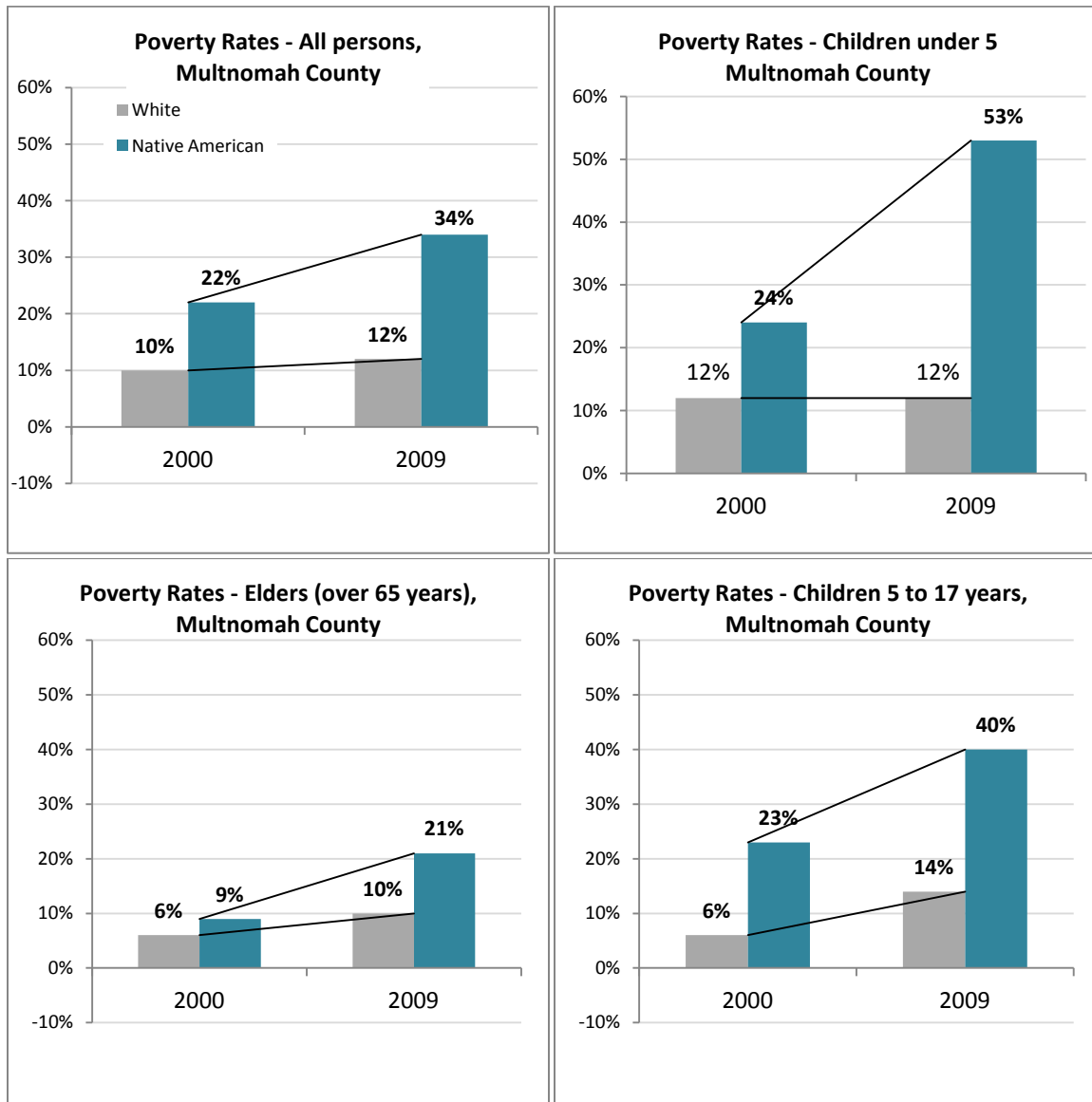
Source: Author's calculations of American Community Survey, 2008.

Above we see that the closer one gets to the urban experience within the county, the more likely one is to be living in poverty. This causes us to remark not only on the significantly higher poverty levels among Native Americans but also the specific conditions here in Multnomah county that cause poverty levels to be so much higher for Native Americans than for Native Americans elsewhere. And finally, this type of differential experience is not experienced by the White community – poverty levels remain much more constant wherever the measures are assessed. This leads us to consider that the nature of local conditions is particularly challenging for our Native American communities.

Within the region, variations in poverty levels also exist regionally and within school districts. Schools collect data on the numbers of students receiving free and reduced lunch and provide for us a view of poverty levels within school communities. Here we find poverty levels translate regionally. Our richest 30 schools (of 160 in the county) are disproportionately White, averaging 19.8% students of color. Our poorest 30 schools instead average 61.1% students of color. These same poor schools have approximately double the number of Native American students as would be proportional to their numbers within the county.

We now turn to a review of poverty rates across time to see if disparities are widening or narrowing. If the gap between the local Native American experience and national averages were improving over time, we could pause, but the data below illustrate a wide and growing gap in two dimensions:

1. Poverty rates for our community are deteriorating across time
2. Poverty rates between Whites and Native Americans are growing wider across time, regardless of one's age or family structure.



Source: American Community Survey 2009 and Census 2000.

In every age category, the hit from the last decade has been disastrous for those in Native American communities. The disparities have grown enormously. Look at the data from 2000: Native Elders had the “best” poverty situation at 9% of the population of Elders. Today, that rate has surged to 21%, which is

an increase of 133% over the last 9 years. The worst poverty level faces children under five, of whom 53% now live in poverty, moving from one-in-four children to more than one-in-two children.

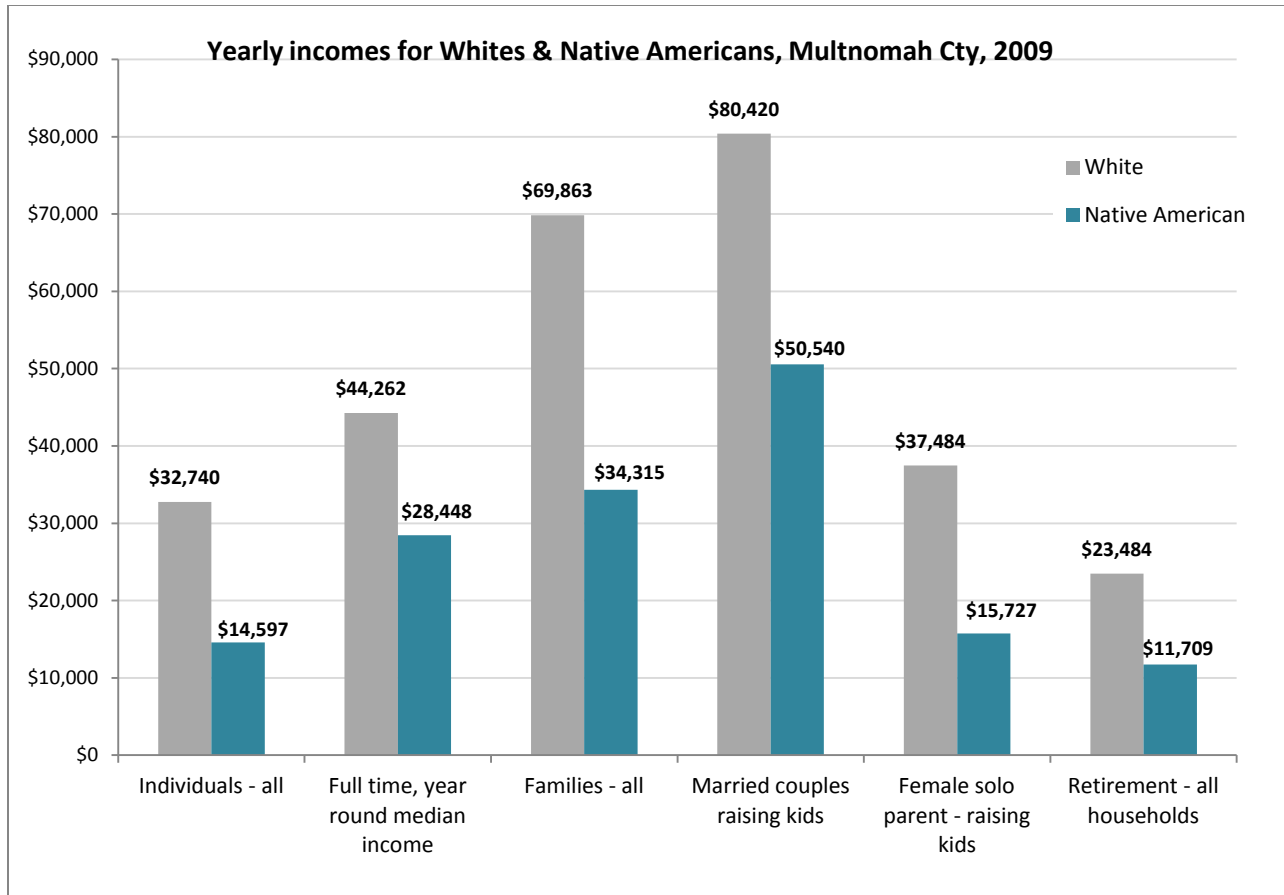
Poverty among the Native American community is worse than the national averages, much worse than for Whites, and the situation has deteriorated rapidly over the course of the last decade. The Native American community must receive significant assistance in the areas of direct income support to lift families and individuals out of poverty, so that we can have a fighting chance of improving our well being and vitality.

Immediate solutions to poverty include expanded access to food box programs, TANF, food stamps, homeless services, basic services, health care, child care, job training programs and employment services. Longer-term solutions include access to low income housing and living wage jobs.

When we consider what might get to the root causes of such poverty, and question how to deepen access to more permanent solutions, we turn attention to features of the landscape that are directly tied to poverty levels: incomes, education, occupations, unemployment, and costs such as housing and education.

## **Incomes**

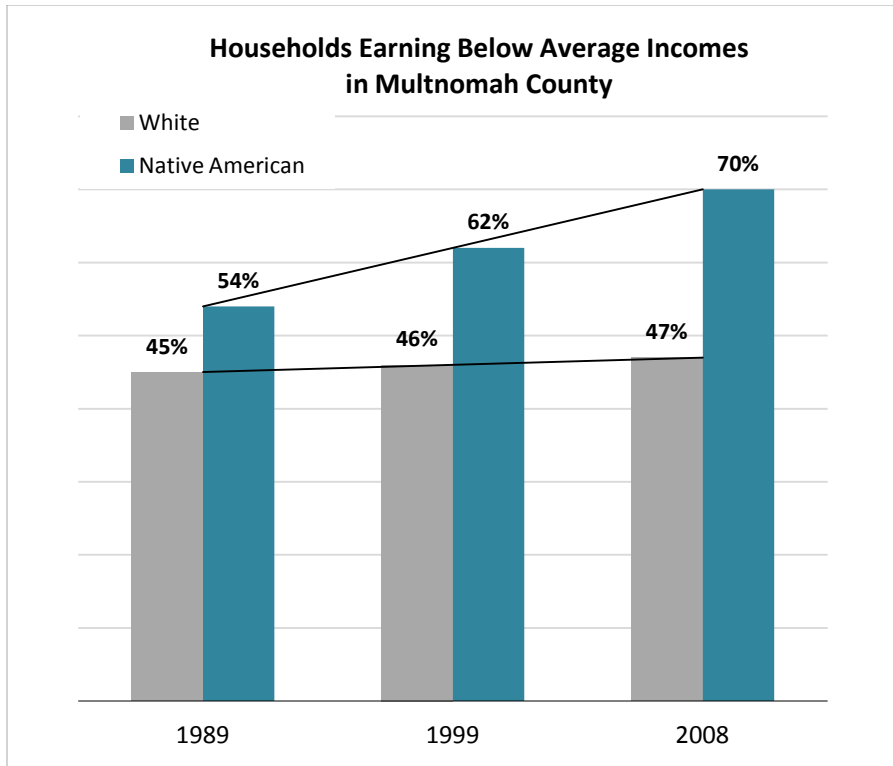
As one can imagine, high poverty rates are going to coexist with low incomes. The income of a typical full-year, full-time Native American worker in Multnomah county is \$28,448 while a typical White person earns \$44,262. The shortfall of almost \$16,000 is huge, equal to the value of an apartment for a year. Considered another way, the average Native American has enough to feed and clothe her family, and pay her taxes, but the average White person has enough to also house herself! Based on average rents and housing costs, the difference between the incomes of Whites and Native Americans is equivalent to the full cost of housing for a family.



Source: Author's calculations of American Community Survey, 2009.

Native Americans are only able to earn less than half the incomes of Whites. Note these are median incomes, meaning that these are average people being compared. These numbers are not skewed by a few extremely high-income earners among Whites, but rather reflect the income of the average “middle-of-the-pack” person.

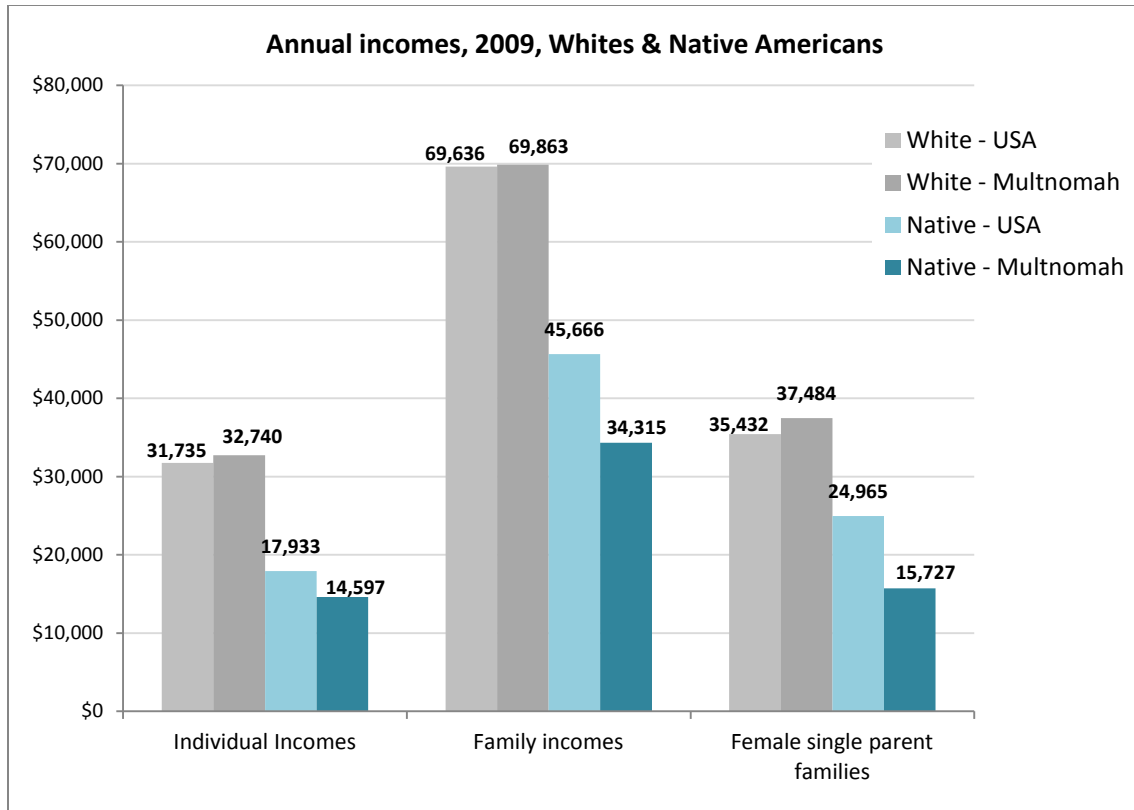
While one might expect (or hope) for the gap to narrow over time, it is not. In fact, the gap between the incomes of Whites and Native Americans is growing rapidly, and parity is further out of reach than it was a generation ago. We might like to consider that our society is becoming color-blind and that skin color and appearance does not differentiate jobs offered or wages given, but this is a goal fading quickly over the horizon. The evidence is before us that Native Americans have lost considerable economic ground over the generation and are slipping much further behind compared to Whites.



Source: Author's calculations of Census 1990, Census 2000, and American Community Survey, 2008.

This chart shows the dismal economic outlook facing the bulk of Native American families. Many more of them have lost ground over the last generation than have White families. While the situation facing White families is not good (with the lower half of the population only marginally slipping over the last 18 years), Native Americans have gone from 54% earning below average levels to 70% earning below average incomes. Again, if there is any doubt about how the economy is working for the average person, we see the results here. The economy is failing to provide the vast majority of Native Americans with decent jobs at decent incomes.

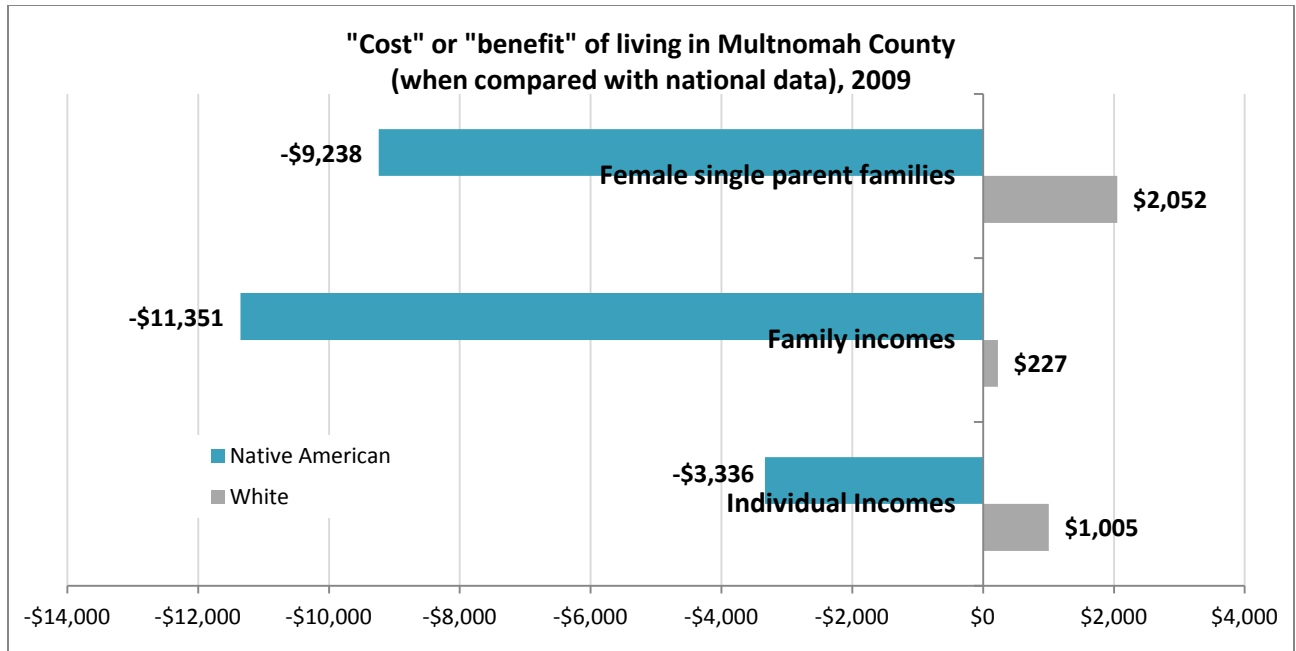
In our comparisons with national data, we again see the same pattern in incomes as was observed with poverty rates. The chart below shows how different family types fare significantly worse here than the national averages. For every income measure explored, there is a significant loss of income by living in Multnomah county. We can see that Native Americans are able to bring home much less income here than average earnings elsewhere in the nation.



Source: Author’s calculations of American Community Survey, 2009.

Looking again at the above figures, we want to highlight the variations that occur as a result of living in Multnomah county. Using the data from the above chart, we have calculated the difference between national and local data and represented that data below for Whites and Native Americans. The first point that must be made is that Native Americans are worse off here than our national comparisons. Looking only at the blue lines on the table below, we see that for each measure annual incomes are significantly less here than the average for the USA. While this might reveal a low wage pattern across our local region – it does not. There is a differential experience, as illustrated when we look at the gray bars to the right of the “zero” axis. Here we see that Whites are better off living here than Whites (on average) elsewhere in the nation.



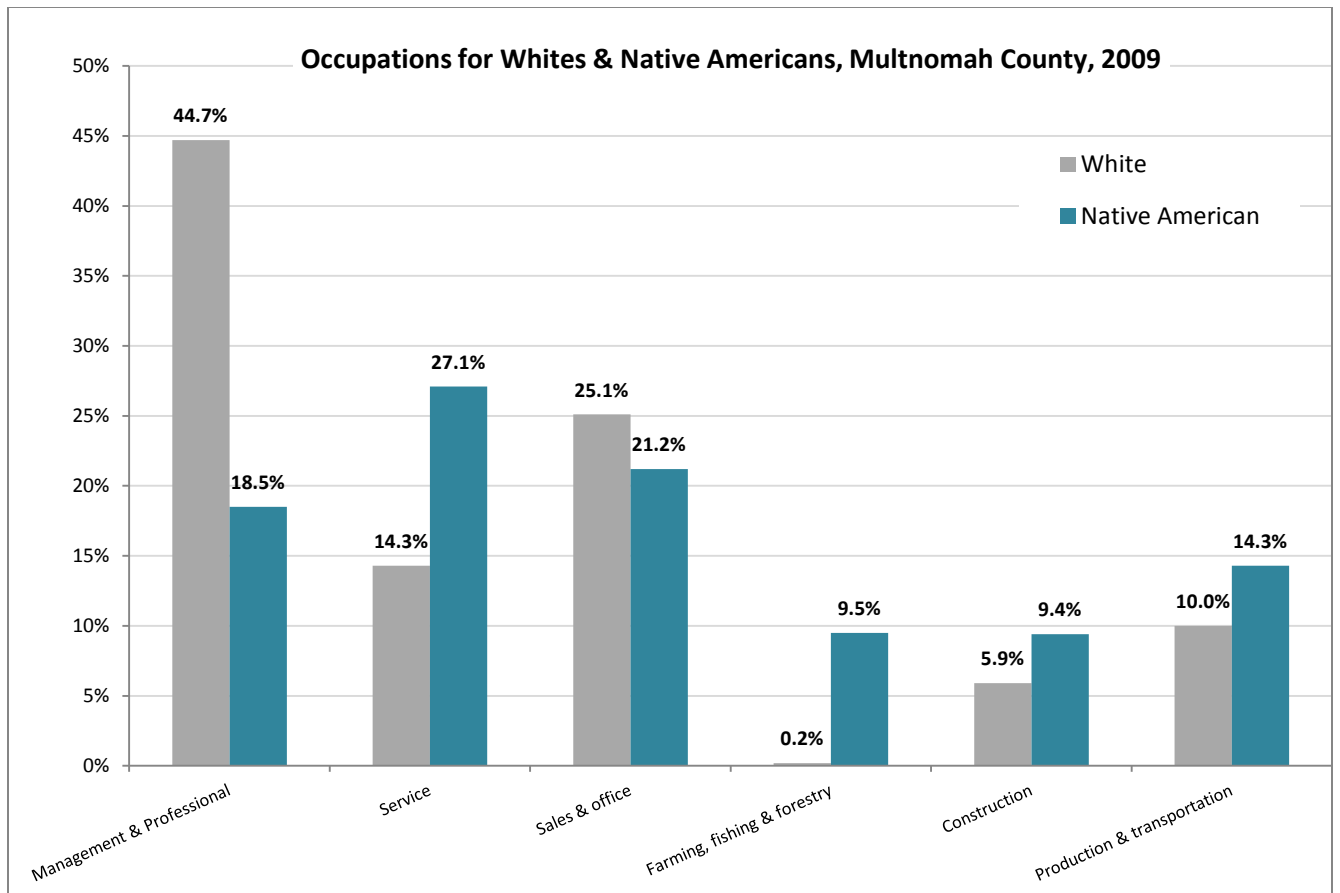


Source: Author's calculations of American Community Survey, 2009.

Notice again that our Native data (in the chart above) are to the left of the “zero” impact line and negative; incomes for the White community are on the right side of that line, meaning they benefit by living in this region. The costs to Native Americans for living in this region are big – for our annual incomes take a hit when living in this county. Made worse are the dynamics whereby the incomes of White families receive a bonus for living in the area. This differential valuing of the labor of Whites compared with Native American families is one reason for the region being particularly challenging for communities of color.

## Occupations and Job Prospects

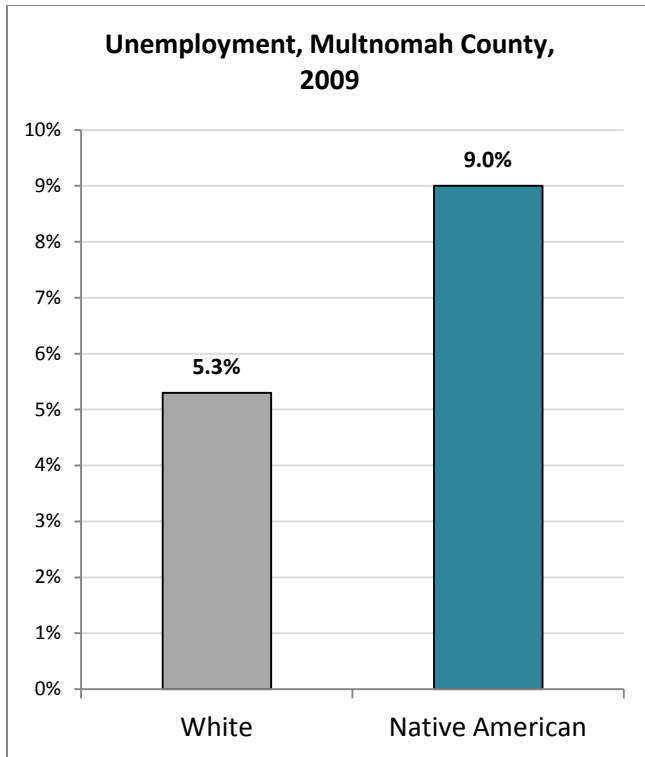
Employment prospects for Native Americans are narrow. The chart below shows how few of us are able to access the choicest of jobs – those in the managerial and professional categories, and to a lesser degree, in sales and office positions. This means we are relegated to the ranks of the jobs that exist to serve those more affluent and statures. It is of simultaneous concern that these positions are low-paying and subservience-oriented.



Source: American Community Survey data, 2009.

The jobs where Native Americans are more likely than Whites to be found are service, farming, fishing, forestry, construction, production, and transportation. This means Natives are doing all that it takes to keep more affluent people fed, housed, catered to (having the “stuff” brought to them), and served. We will be the ones more likely excluded from front desk jobs and higher ranking jobs – and more likely to be cleaning offices instead of leading them. We do, however, also lead and staff our own Native organizations. These are jobs that provide bright spots in the employment landscape. So, too, do jobs in the civil service, where we access professional positions, union protections and relatively positive working conditions. Despite the disparities in occupational access, many highly educated Native Americans continue to move to the region.

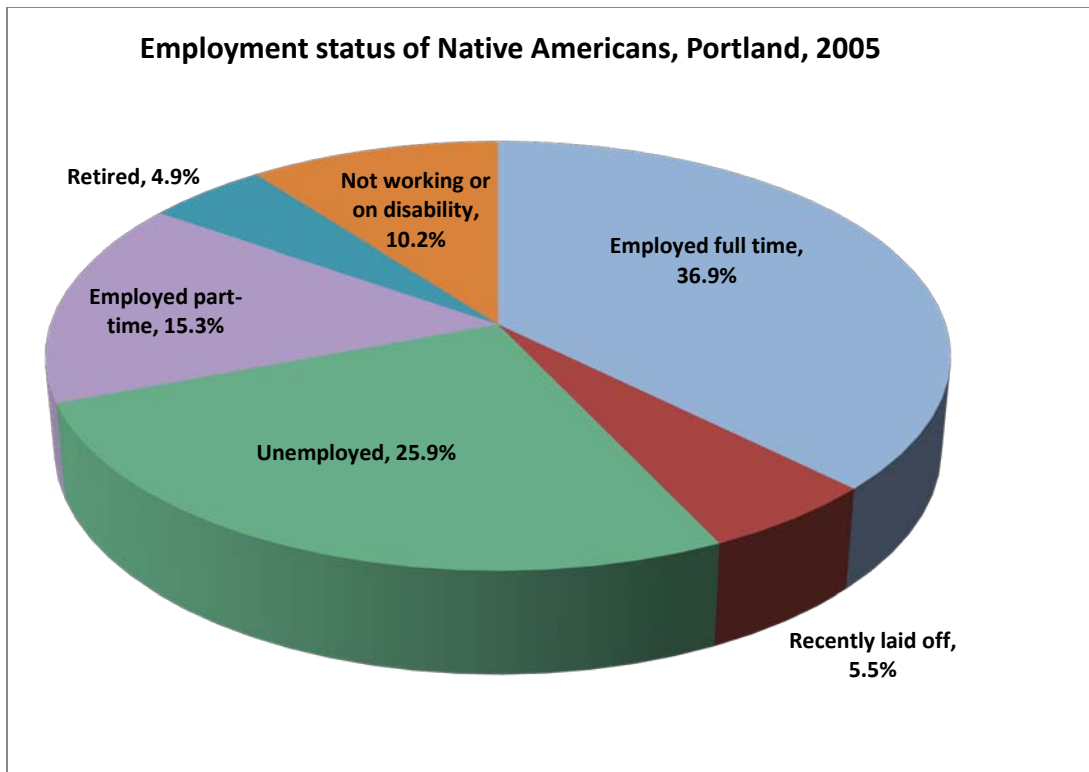
The above chart shows those who are employed in specific occupations, but many in our community cannot access work. We look at these data in two ways: first, as the conventional method of data contained within the American Community Survey, and second, as the result of a local study that involved hearing more details of those in the community who were able to expand upon the excessively minimal data contained within conventional sources.



Source: American Community Survey, 2009.

Here we see that the Native unemployment rate is 70% higher than for Whites. Such data does not include the most recent deterioration of the local economy that occurred in 2010 – we anticipate that these data will worsen in the coming years.

Turning now to the more full exploration of the employment experiences within our community, we look to the chart below that shows the employment status of Native Americans as an entirety, revealing deep levels of unemployment and underemployment.



Source: Northwest Area Foundation, 2005.

We can presume that the unemployed (25.9%) and those recently laid off (5.5%) desire work; thus, we can interpret that the unemployment rate is 31.4% of our entire adult community. We presume that those employed part-time are satisfied with such status, and are not desiring full-time work. We can also presume that those not working or receiving disability do not desire work – which is not usually accurate, as this number includes those we call “discouraged” workers who have often stopped looking for work. The official figure for Native Americans (in the American Community Survey, 2008) at the same time was 5.9%. What accounts for the difference? The methodology accounts for the difference.

Unemployment, in the American Community Survey (which is used heavily in this report), is defined as a situation in which someone is looking for work in the past 4 weeks – requiring them to count people whose job search is “active” meaning that they are making calls. Looking at the newspaper listings does not count. This serves to narrow the numbers of those who count as unemployed. So too is an emphasis on those who are collecting unemployment insurance payments. Such a measure does not count anyone who is ineligible for unemployment insurance, who has not received payments yet, and whose benefits have expired. This also omits everyone who has gotten so discouraged in their job search that they have given up looking for work. As a result, the statistic of 37.6% is likely much more accurate than the ACS statistics of 9.0%.

The “official” figures for unemployment are those reported by the Bureau of Labor Statistics. These are the figures that are relied upon in the media, and reported with very up-to-date figures. Given that this

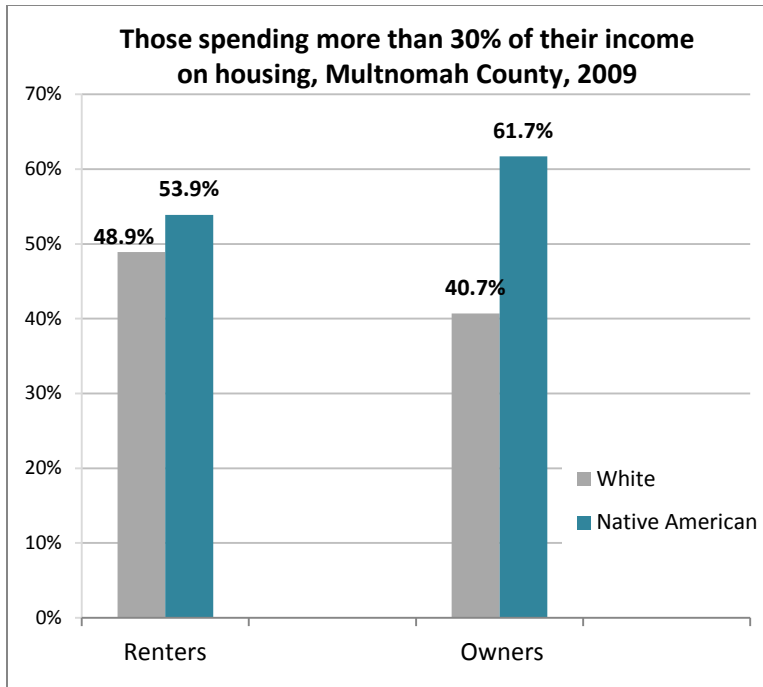
measure relies on a 60,000-person sample across the USA, and draws from the Census 2000 to stratify those numbers across races (which we defined as a deep undercount), we end up at most with a sample of only 522 Native Americans, which is 0.87% (yes, less than one percent). The Bureau has decided that this percentage is too small to report. Accordingly, official employment counts ignore the existence of Native Americans, leaving us with only a second-class reporting of the data in the ACS. This means we cannot obtain up-to-date knowledge, even at the national level, about how the current economy is harming the employment of our community.

As a result, we turn to other avenues for this information. The first is the more dated information from the American Community Survey. From this, we find that the unemployment rate for Native Americans is 9.0%, which is 70% higher than the rate for Whites (5.3%). We thus know that there is an approximate multiplier of about 70% in current economic times. We also know that economic recessions have a much more dire impact on low income earners, those with less strong connections to the labor market, and on people of color. Given that the most recent data shows that 8.5% of those in the labor force in Multnomah county were unemployed (June 2011), we can expect that the level for Native Americans is somewhere between 14.4% (estimate drawing from official data) and 37.6%. It is unfortunate that we cannot provide more accurate statistics for this community.

One consequence of this form of invisibility is that there is frequent use of federal unemployment numbers by various government agencies to determine how well affirmative action programs are operating. State governments and contracted agencies are bound by expectations for eliminating barriers in hiring and often use figures that are based not on the size of the community but rather the size of the community that is currently available for such work – the unemployment figures are the basis for such counts. Accordingly, an undercounted or even completely invisible community will set the bar for hiring much too low. The impact of this low bar means that efforts to improve the hiring practices will be less robust than appropriate for our community.

## **Housing, Homelessness and Housing Affordability**

A key way to explore housing is to see how many are excessively burdened with the costs of keeping themselves housed. A key target is to keep housing costs below 30% of one's income. Below, we see that more than half of local Native Americans are vulnerable to losing their housing – as the confluence of high housing costs and low incomes requires many of us to spend much more than advisable on housing. While too many of local Whites are similarly challenged, the levels among Native Americans are considerably higher. Local housing costs have been rising in recent years and are threatening the income situation of our residents.



Source: American Community Survey, 2009.

Native Americans have identified that racism plays a significant part in why they are not able to obtain housing. Almost 40% of Native Americans have experienced racism in finding housing in the Portland area,<sup>65</sup> with no expectation that this is any better in other parts of the county. Similar results were found across the nation, as Native Americans were more likely than Whites to be told that housing was not available, when indeed it was. There is a pervasive pattern of renting that favors Whites. Although the Fair Housing Council's survey that illustrated pronounced housing discrimination against African Americans and Latinos did not include Native Americans,<sup>66</sup> such discrimination has been shown to be very significant in other communities.<sup>67</sup>

There is a pervasive disparity in homeownership levels for Native Americans and Whites. Below we see that homeownership levels and housing values are significantly worse, and, again, that these levels are much worse locally than across the nation.

2009	White		Native American	
	Multnomah	USA	Multnomah	USA
Median House Value	\$298,300	\$193,400	\$227,300	\$137,400
% Owners	60.2%	73.2%	37.1%	55.7%
% Lower Homeownership in Multnomah County	22%		50%	

Source: American Community Survey, 2009.

Homeownership is a significant engine for wealth accumulation, because housing assets are one of the three key factors that create wealth. The first is inheritance, the second is income, and the third is

housing values. Exclusion from the homeownership market denies our community an ability to build wealth. Wealth (the sum total of assets minus debts) serves as a protective factor for income fluctuations and it enables one to take risks, such as opening a business or returning to school.

Data on the wealth of our community is not, however, available. We are invisible in the public datasets on wealth, debts and assets, since the Bureau of Labor Statistics has given priority to examining wealth levels of only African Americans and Latinos. In fact, the data available on Whites actually includes Native Americans, which is a decision that artificially lowers asset levels among Whites, as it is appropriate to predict that our Native American community will hold significantly lower assets than Whites. This invisibility exists at the national level, and is also unavailable for both Oregon and Multnomah county. It is a troubling omission since wealth data is important for understanding the multi-generational dimensions of affluence and poverty, and for understanding how close communities are to economic devastation (which happens when debts are larger than assets – this pattern occurs over multiple years) which typically leads to bankruptcy.

While the above data is troubling, it is also worsening. Homeownership levels for Native Americans are declining, dropping significantly between 1990 and 2006, with homeownership rates slipping from 47% in 1990 to 37.1% in 2009. Local data is worse than Oregon’s average and the gap is widening.<sup>68</sup> In Portland, homeownership rates have deteriorated even lower to 32.2% for 2010.<sup>69</sup>

One cause of low homeownership rates are the rates at which mortgages are granted. The data below compares both these items for households with the same levels of income. The “tiers” are actually levels of incomes, allowing us to see how similarly wealthy households compare on these measures. The below data shows that loan denials are much greater for Native Americans than for Whites, even when incomes are the same. Denial rates are double – suggesting that perhaps the home-lending system is a key engine for housing inequities.

	Home Ownership Rate			Loan Application Denial Rate		
	Tier 1	Tier 2	Tier 3	Tier 1	Tier 2	Tier 3
<b>White</b>	77%	58%	48%	7%	10%	11%
<b>Native American</b>	62%	50%	29%	13%	20%	16%

Source: Housing and Development Corporation, City of Portland, 2004<sup>70</sup> Definitions for the terms used above are:

- Tier 1 = households with incomes more than 95% above the median income (wealthiest)
- Tier 2 = households with incomes 80-95% over the median income (mid-range)
- Tier 3 = households with incomes 50-80% over the median income (poorest homeowners)

The pervasiveness of these types of trends across the nation suggests that there are structural barriers to equality in getting mortgages from lenders and in moving into an owned home, and together with pervasive individual bias, the overall context is one of institutional racism.

Many people, when denied home loans, turn to the sub-prime market to secure access to loans; in doing so, these people place borrowers at the hands of much less reputable lenders and take out loans at much higher interest rates. This situation places them at a higher risk for bankruptcy. It thus is very likely that Native Americans will be very hard hit by the current mortgage crisis. The denial rates for conventional mortgages have been massive in our community, even when comparable incomes are held. Overall rejection rates averaged 20% while denial rate among Whites was 12%.<sup>71</sup> It is too early for information to be made available about foreclosures on the basis of race and ethnicity at the local level, but we anticipate that, like all other distressing features of economic downturns, the burden will be felt most heavily by communities of color. We do know that homeownership in our community has dropped in the following way over the last three years: 39.0% (2007), to 38.7% (2008), to 37.1% (2009). It is expected to deteriorate more significantly as the levels of foreclosure have skyrocketed in the last year in the region.

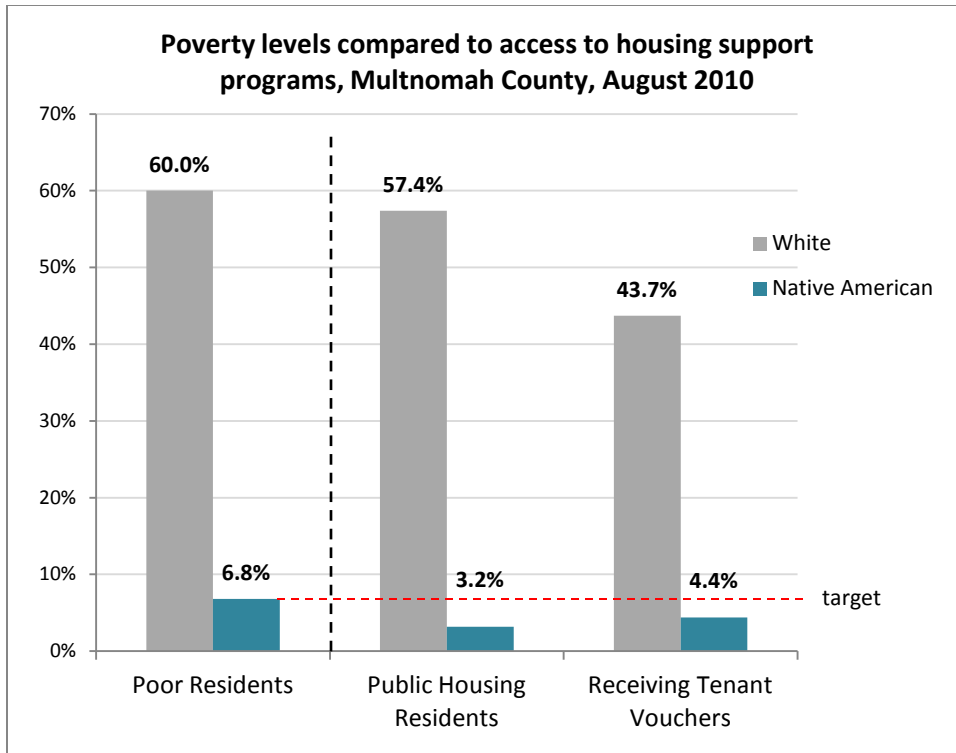
While data on other communities is available at the national level, our communities remain invisible in most measures of wealth (as noted earlier), bankruptcy, and economic losses from this current economic crisis. Our community suffers from ongoing invisibility since researchers have not given priority to revealing these experiences for our community.

The net impact of the housing system has Whites reaping the benefits of a wealth-generating system that works in their favor, while our Native American community is denied equivalent access through low incomes, high rent and mortgage burdens, low homeownership rates, low housing values, and pervasive discrimination in lending patterns. When unable to stay within the private market for housing, we face barriers to accessing public housing and lose our ability to remain housed at deeply disproportional levels.

Our major housing support program is delivered through the Housing Authority of Portland. Gains have been made among communities of color, but continue to under-serve our Native American community. Since the release of our first report, targeted outreach efforts have occurred, and improved interviewing practices (including the waiving of criminal reference checks which were determined to have racial bias) have resulted in increased access for people of color. The data show that today public housing residents have moved from 30% people of color to 42.6% people of color – a solid accomplishment over a year. Among those receiving tenant vouchers, the numbers have improved from 44% people of color to 50% people of color (in the same time period).

Among our community, however, the current data show ongoing problems. Among poor people in the county, we make up 6.8% of that population. We make up, however, less than half that number among public housing residents (3.2%) and one third less among those receiving tenant vouchers (4.4%).





Source: Housing Authority of Portland (August 2010).

Given these low numbers, we can assume that there are continued access barriers that the Housing Authority of Portland needs to redress for Native Americans. The waiting lists with the Housing Authority of Portland are marginally better, with Native Americans making up 4% of those waiting for public housing and 3.9% of those waiting for tenant vouchers.

When incomes are not high enough for people to access housing, and housing support services are unavailable, people become homeless. Today in Multnomah county, 9.0% of the homeless are Native American peoples,<sup>72</sup> up from 8.6% in the prior count. We are overrepresented among the homeless at levels 350% higher than our numbers warrant, while Whites are underrepresented among the homeless by 21%. And know that this number is likely to climb, because figures in the homeless count include a total of 5.9% who did not share their specific racial identity. Given the pattern of reluctance to disclose one's identity as Native American, it is likely that many of these people will actually be Native American. The Native American portion of homeless may actually be well over 10% of the total homeless community.

Services for homeless Native Americans are inadequate. Several reasons account for this: the first is the geographic availability of resources. Services are overwhelmingly centered in downtown Portland while our community is primarily in peripheral locations in the county, such as southeast, outer southeast, Gresham and St. Johns. This mismatch must be rectified. Secondly, support programs are not well funded for culturally-specific services. When service providers do not share our heritage or our

understanding of colonization and racism, we are denied access to service providers who we are more likely to trust and build relationships with. Thirdly, supports for homeless people, in general, are inadequate. Our homeless do not engender much compassion nor are service organizations likely to improve their funding situation. Those who are not housed suffer social exclusion and isolation at levels unmatched by resources to serve them.

A final point needs to be made about measuring the size of our homeless community. The homeless count does not collect data for those who are without housing but staying with friends and family, and “doubled up” in stressful and vulnerable ways. Estimates of the size of this number of homeless indicate that this un-housed but not-on-the-street homeless population is five times higher than the street count.<sup>73</sup> In addition, homelessness in the Native American community is hidden due to the legacies of mistrust and the governments’ removal of Native children, often leaving the homeless community seeking to remain under the radar of mainstream service providers. Culturally-specific service provision must expand so that we can serve our own community members.

We are in the midst of a housing crisis, one that is borne of poverty, high housing costs, and barriers to accessing homeless supports. Native American’s face many housing barriers including low incomes, weak credit histories, lack of a deposit and down payment, and the lack of affordable housing. Such barriers are coupled with pervasive patterns of discrimination, and inequities in accessing housing support programs. As a result, we face many challenges in getting housing and staying housed; housing vulnerability is a dominant feature for this community. We seek for housing to become recognized as a human right and for all levels of government to promote access, equity, and adequacy in providing permanent shelter for our communities.

## **Food Security and Other Basic Needs**

While housing is a deep challenge for many in our community, we also face challenges in basic needs such as enough money for food and utility bills. Going hungry is not uncommon among Native Americans. Many reported going without food at some point every day or at least once a week at a rate of 7.7% of the population. Add to this another 13.2% of the community who reported going without food at least once a month. This means more than 20% of the community experiences hunger on a regular basis.<sup>74</sup>

Levels of hunger skyrocket among Native Elders. In a recent study of county Elders, 69% of Native American Elders reported not having enough of the kinds of food they want to eat. Here are more hunger issues:

- 11.5% of our Elders often do not have enough to eat
- 19.2% said they sometimes do not have enough to eat
- 38.5% say they have enough but it is not always the kinds of food they want to eat<sup>75</sup>

Given the poverty level of 21% among Native Elders in 2009, and the fact that their incomes average \$11,709/year, they will undoubtedly be stretched to cover food costs. Hunger is an increasing fact of life for Native Elders, worsened as housing costs are routinely overburdening this community.

Other ways that Native Americans are excessively stretched to meet their needs show up when we inquire about their ability to pay utility bills. Local Native Americans report that 4.6% are unable to cover utility costs at least weekly, and another 15.9% go without utilities monthly. This means that one-in-five in our community are unable to cover utility costs routinely. Another 30% have occasional difficulty paying utility bills. Less than half say they never go without their utilities.<sup>76</sup>

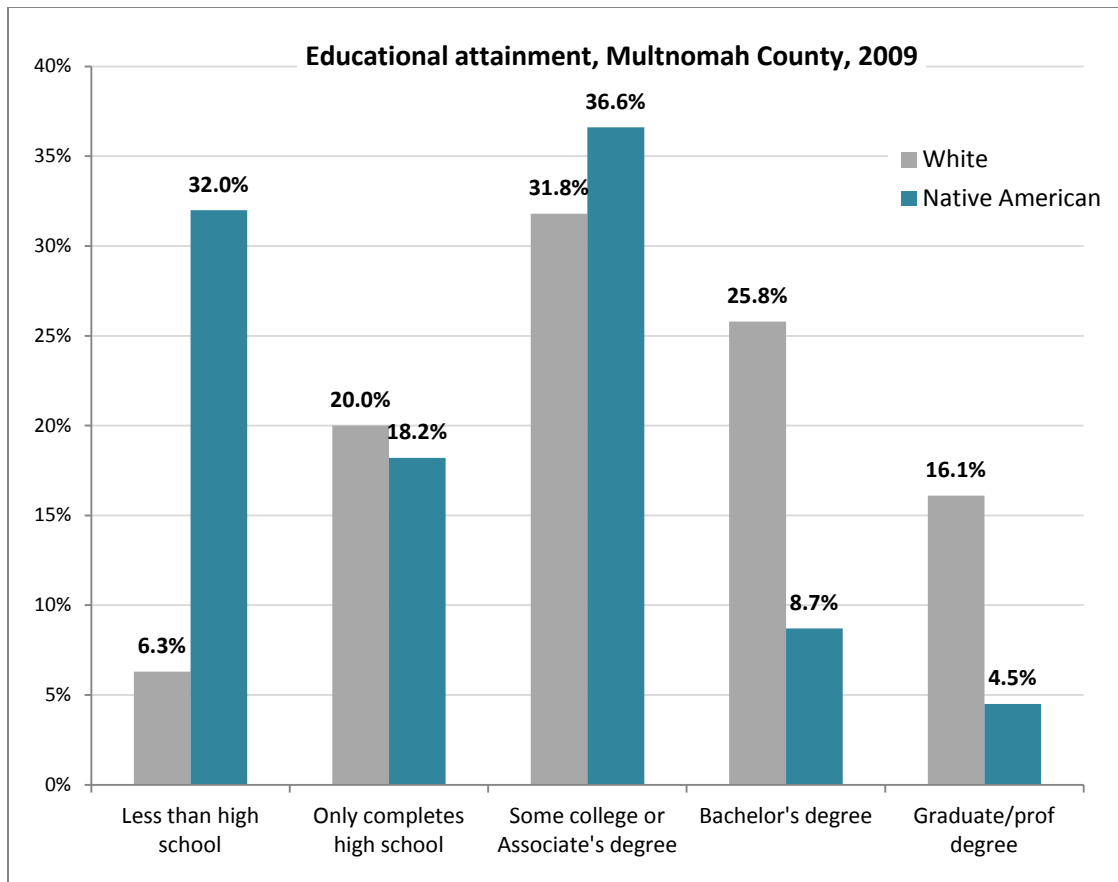
Services to address hunger include WIC, food stamps and food banks. The Oregon Food Bank reports that of its numbers served, 3% were Native American (and an improvement over the 2% figure in 2006). The actual percent of Oregon's poor who are Native American is 6.2%,<sup>77</sup> meaning that there is a significant disparity in this service for our community. Our seniors are ineligible for WIC, and in the area of food stamps, no data is available for communities of color – thus, we cannot assess the disparities that might exist in this resource.

## **Education – from Preschool through Post-Secondary**

Native Americans are deeply concerned about their children's progress through school. We understand it to be one pathway out of poverty and to the improvement of health and well being, as well as towards expanding choices and opportunities. As you will see in the pages that follow, we have abundant reasons for concern. The disparities with Whites are deep and widening with harmful consequences.

We will look at several dimensions of disparities in education, including the overall education levels of the community, disparities in scores on standardized tests, school discipline, dropout rates, and graduation rates. In each area we review, disparities are profound and of deep concern to the community, since education is an important pathway to accessing a better quality of life.

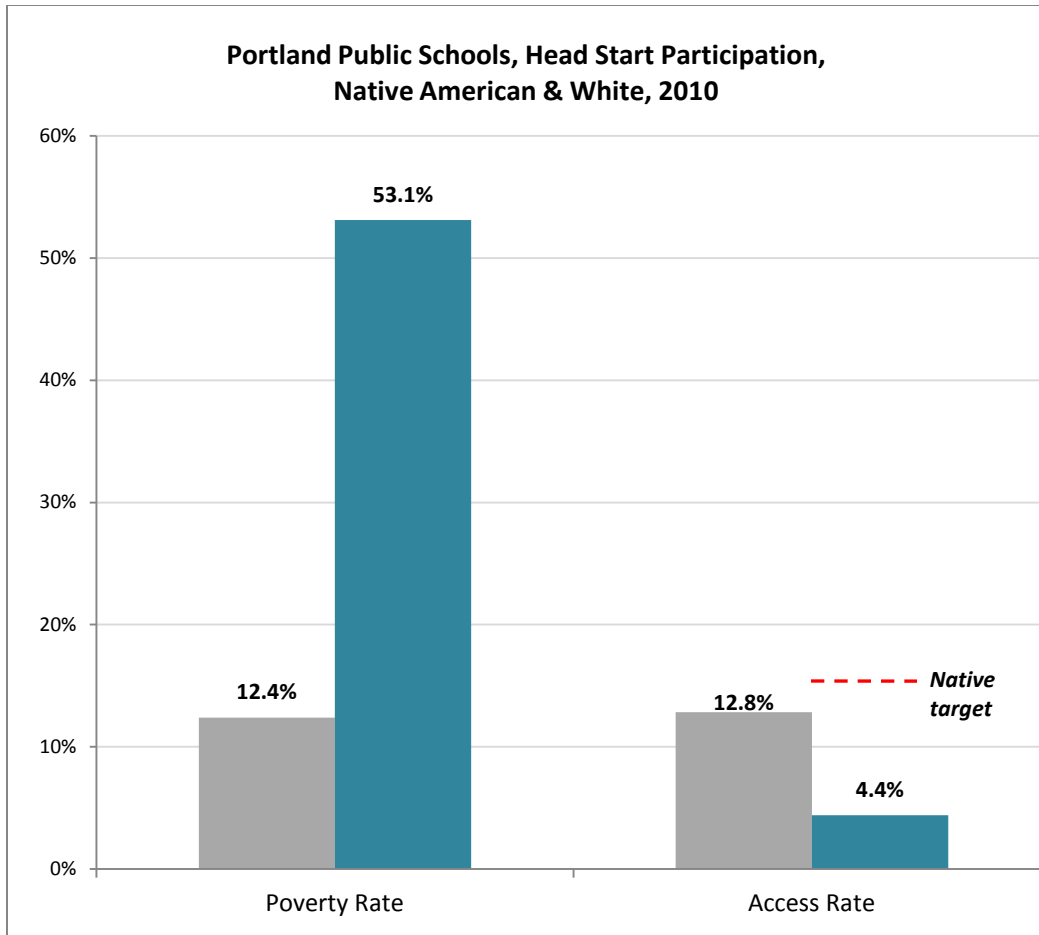
Our first review of education is one where we look at the profile of the entire adult population in Multnomah county. Called "educational attainment," it draws our attention to an overall illustration of the amount of education a community has achieved. The below chart shows that there are vastly different levels of education between our Native American community and Whites.



Source: American Community Survey, 2009.

Looking to the far left of the chart, we see that about one-in-three Natives in our community do not complete high school. This is particularly troubling when compared with White achievement, as only one-in-sixteen Whites have not graduated high school. Similarly, at the high end of the educational scale, only one-in-eight of our people has been able to obtain a university degree, and only one-in-twenty two of our people have been able to obtain a graduate degree. For Whites, nearing one-in-two people have been able to obtain a university degree, and more than one-in-six have a graduate degree.

We now turn to the current performance of the education system in the region. We begin with a look at access to preschool supports. The program most accessible to our community is Head Start, a subsidized program that promotes school readiness through child development programs including early academic learning, nutrition, health, and social service supports. Parents are included in programming. Across Multnomah county, administrators have chosen not to make participation data available by race or ethnicity (with the exception of Portland Public Schools) making an examination of disparities impossible across the region. Below, the PPS data is provided.



Source: PPS Head Start Annual Report, 2010/2011.<sup>78</sup>

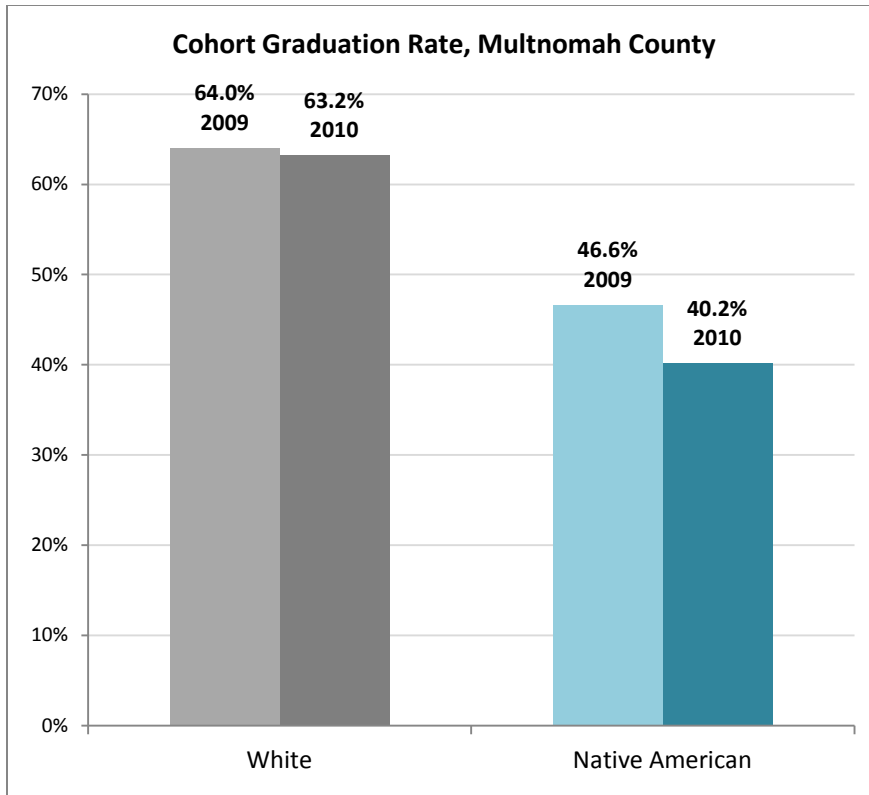
Head Start programs form a major dimension of preschool education, particularly for poor children. Ideally all poor children should be eligible for Head Start programs and Head Start should be accessible for the parents and caregivers who wish to enroll their children. In our analysis, however, very few of eligible Native children are able to access the program. The above chart shows that a total of 53.1% of Native children under 5 are poor, and that this translates into a target access level of 15% (as shown by the red line above). Accordingly, Native children hold less than 1/3 of their appropriate level of access to Head Start programs. Note that only Portland Public Schools has made this information available – we have little reason to think it will be better in other jurisdictions.

The raw data for Head Start in PPS illustrates the magnitude of this disparity. A total of 824 students were served through Head Start in 2010/11, yet only 5 of these children were Native American – despite the fact that an estimated 211 Native children live in Portland who are 3 and 4 years old, of whom 112 are likely to be poor – and thus eligible for the program. This translates into a service rate of 4.4%, while Whites access the program at a rate of 12.8% of those children who are likely eligible for the program.<sup>79</sup> White children are almost four times more successful in accessing this program than Native children.

Turning to the public school system, we find that some students cannot complete their schooling and withdraw or are pushed out of the education system. Dropout levels are much worse for Native American youth than White youth – and in 2010, is 9.0% compared to 3.9% for Whites. This is a masked understanding of the education system’s ability to graduate our students. This conventional measure of youth dropout rates have focused on the number of children who start grade 12 and who officially drop out of the grade – and misses those who elect not to return at the end of the summer, and also misses those who drop out before 12<sup>th</sup> grade. In these data (available back to 1998), we see that disparities in dropouts was almost eliminated in 2003/2004, but today disparities are much wider.

More than half (59.8%) of Native students do not finish school in Multnomah county (in the required time), and ½ of Whites students do not successfully graduate. What accounts for the difference in the dropout rate (of 9.0%) and the total non-completion rate (of 59.8%)? Dropout rates are generated by the school and do not include those students who do not return at the beginning of the school year – they are simply a measure of students who the school tracks during the year. These data are additionally problematic as they also collect the reasons that students leave school – but are generated by the staff who interpret these reasons on their own. When scanning the data, there are no comments about racism or inequities in how educators handle school incidents. Such a limited discourse illustrates that schools do not stretch into considering how they contribute to decisions by students to leave school, and thus leave themselves “innocent” of such dynamics.

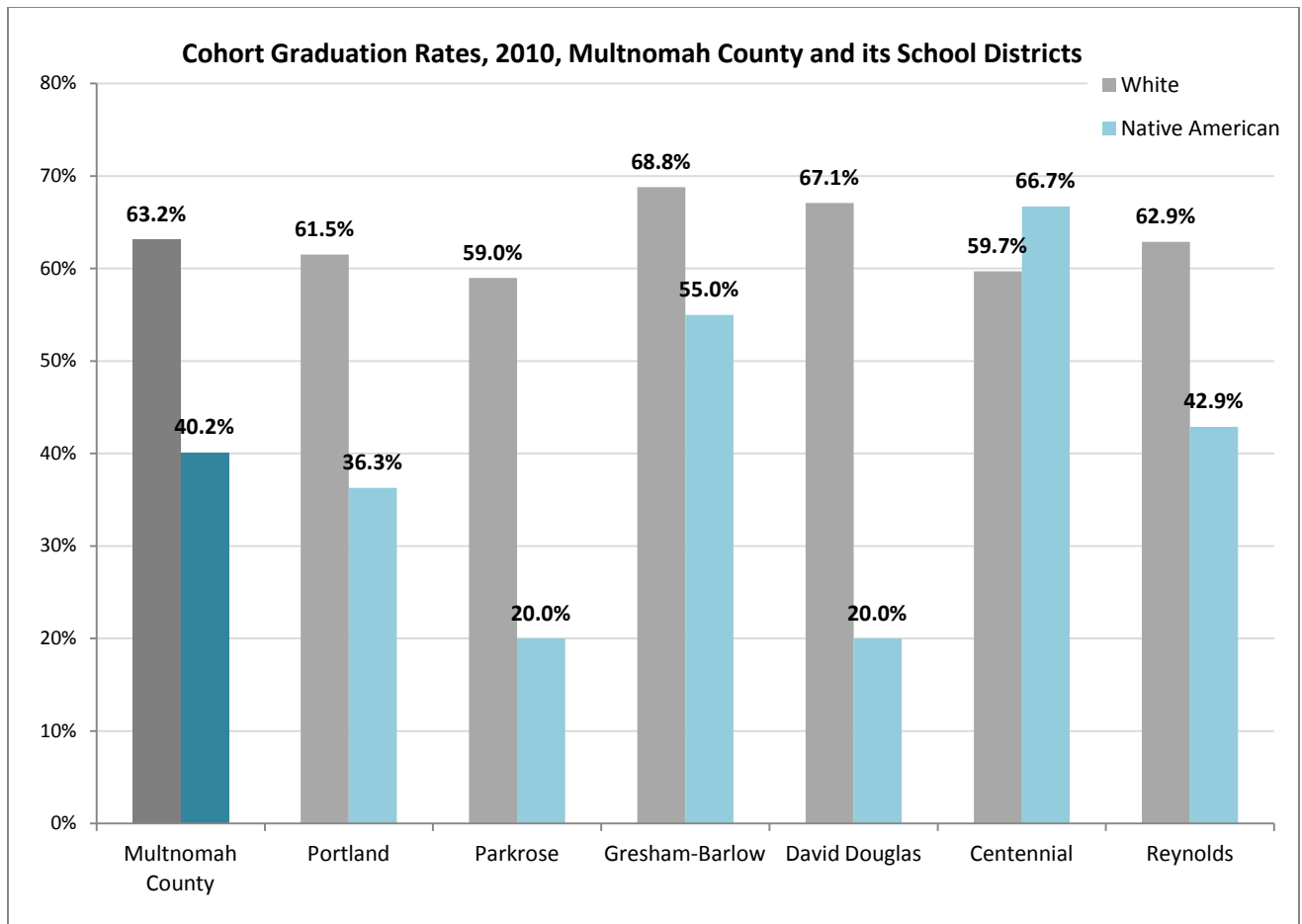
A better measure of the current performance of our school system is revealed by new data on how well our students graduate from Grade 12. These data show that in addition to being “pushed out” of school, Native American students are thwarted in obtaining a regular diploma. We now have data on the current graduating classes of our students across both the county and local school districts. The Oregon Department of Education has recently given priority to assessing how well students who enter high school do and whether or not these same students graduate successfully (with a regular degree) from high school. Called a “cohort” study, we now can track students who begin in grade 9 and successfully graduate in four years. Below are the results of this study, and we see distressing patterns facing our Native students. To begin, disparities are massive, with less than half of our students graduating from high school. The second key message is that this rate is deteriorating at a rapid rate.



Source: Author's calculations from Oregon Department of Education data on cohort graduation rates (2005/06 to 2008/09 cohort reported for 2009 and 2006/07 to 2009/2010 cohort reported for 2010).

Some might suggest that these types of graduation rates are to be expected in a bad economy; they might also suggest that Native Americans value education to a lesser degree and are simply performing at acceptable levels for the conditions of our culture. Neither could be further from the truth. We instead bring forward the idea that our students are being “pushed out” of the school system by educators who re-inscribe a discourse that does not value Native American culture and identity, and by institutions and staff that have not adequately addressed institutional racism. We fully believe that much more positive results are possible for our youth, as the data later in this section on the success of the NAYA Early College Academy (run by Native Americans and specializing in education for Native American youth) achieves a graduation rate of 88% for its students. It is important to keep this success in mind as the distress facing our youth in the regular school system is reviewed on the following pages.

The variation among school boards is where an even more troubling picture emerges, with graduation rates plummeting to 20% in some school districts.



Source: Author’s calculations from Oregon Department of Education data on cohort graduation rates, 2010.

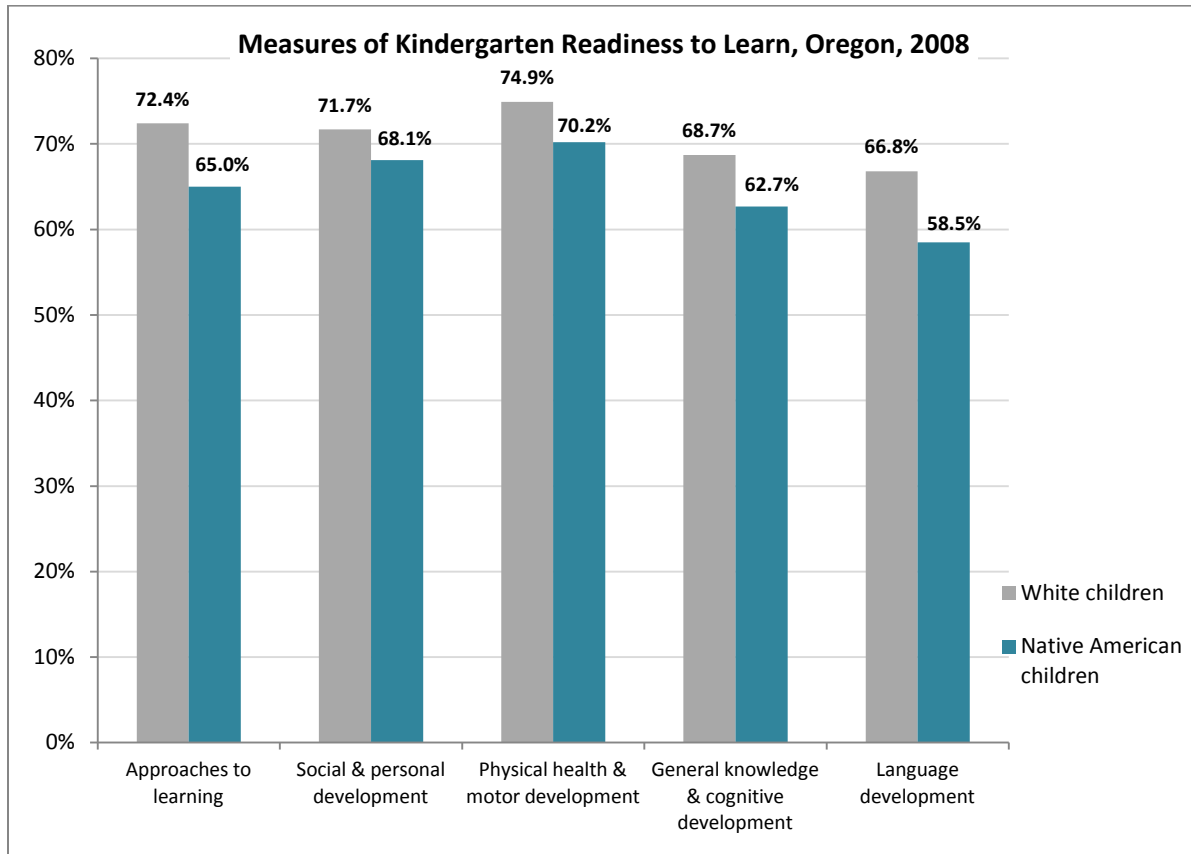
Our student graduation rates range from an abysmal 20.0% in Parkrose and David Douglas to a better-than expected result in Centennial of 66.7%. Our largest school board, Portland Public Schools, has results that show only 1/3 of our students are able to successfully graduate. While the long-term impacts of this trend will be for there to be an improvement in the “educational attainment” levels of our community (for these data will only very slowly improve the 32.0% figure of those who have not graduated high school), it will not result in a lessening of the disparities between Whites and students of color, because Whites are moving through high school at such enhanced levels over students of color. We see these data as completely unacceptable for both White students and for Native American students – schools are failing all of Multnomah county’s children when only 58.7% of all students are able to gain a high school degree (in 2010).

This terrible outcome means that we are continuing to relegate Native American students to the tail end of employment prospects. The profile of educational attainment for all adults is not likely to change in the coming generation, since so few of our youth successfully graduate school and so few obtain university educations.



With the overall picture dim because of the deep disparities and inequities that result in Native American students facing many barriers in obtaining decent education, income and a solid likelihood of moving out of poverty, we turn to look at specifics of the current education system’s ability to work with our children. We examine this in two ways: standardized testing scores and discipline patterns.

The historic review of test scores shows a pervasive disparity between Whites and Native American students. Let us begin with looking at our youngest children – those entering kindergarten – and observe the disparities that already exist for our youngest students.

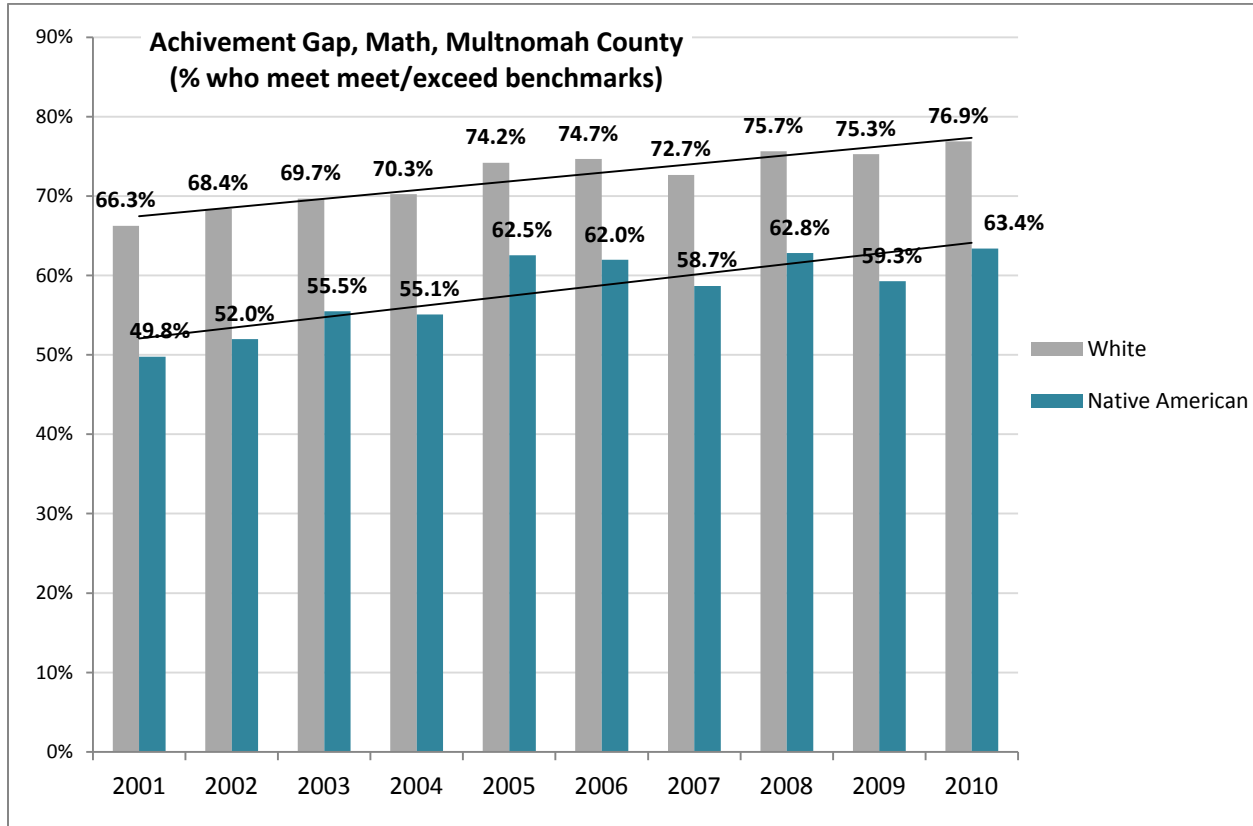


Source: Oregon Department of Education’s Kindergarten Readiness Survey, 2008.

These are the earliest roots of our achievement gap, showing that Native American children are already disadvantaged by age 4. We point to the lack of access Native children and families have to Head Start programs as a significant cause for this difference. These disparities, as we will see, will widen and deepen as students progress through their educational experiences.

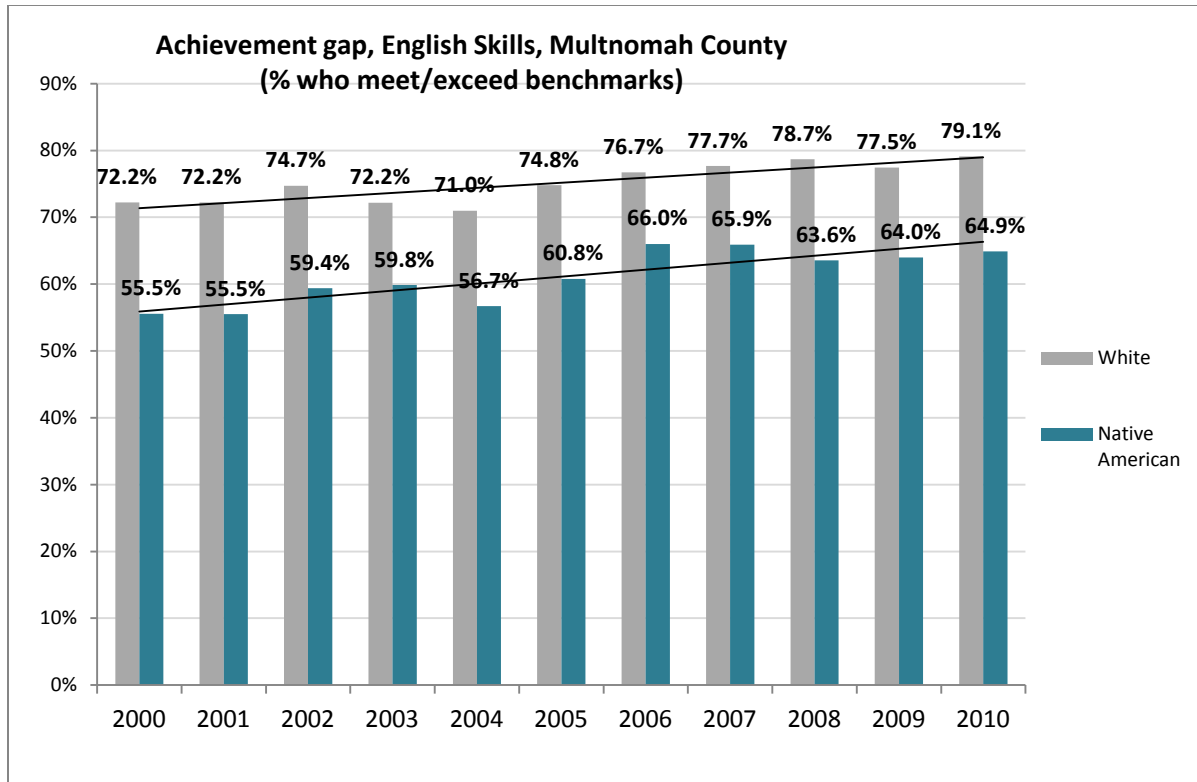
Turning to specific learning successes, we explore the gap between how many White students and how many Native American students “meet or exceed” the benchmarks in standardized tests (also called the “achievement gap”). While it is good news that test scores are improving for both groups, no gains have occurred to narrow the gap. This has a profound impact on the ability of Native students to be on parity

with White students in their attempts to enter post-secondary education. The net impact is that a competitive advantage to enter post-secondary education has actually deepened for Whites over the last 10 years, because issues related to the cost of tuition typically takes higher education further out of reach.



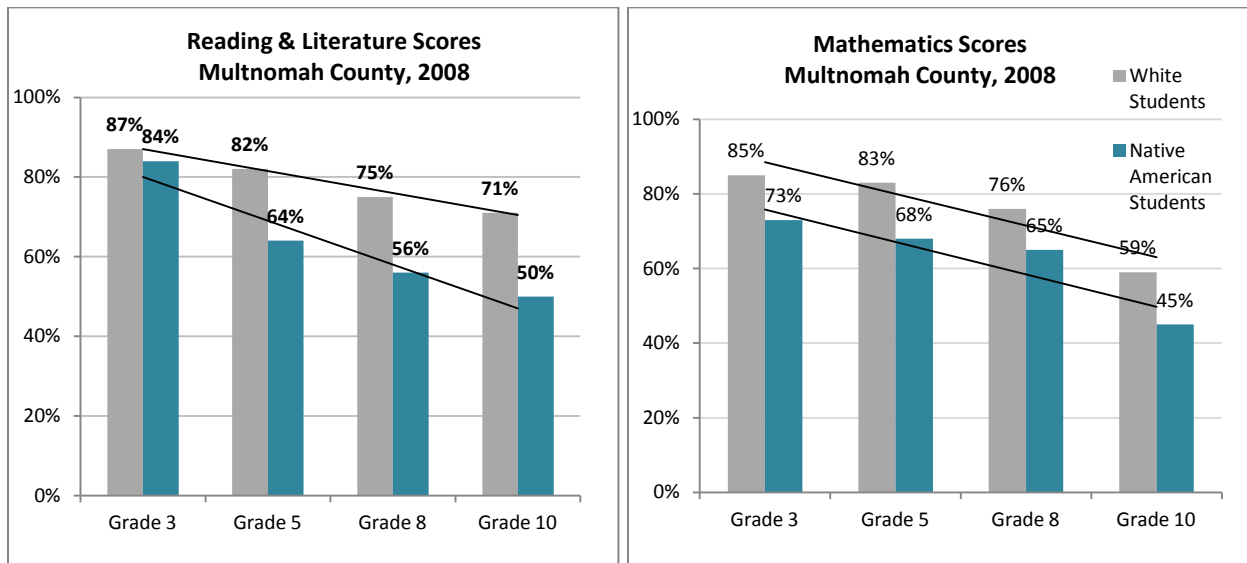
Source: Author’s calculations from Oregon Department of Education data tallied by Pat Burk for data to 2008, and ODE website for data in 2009 and 2010.

Looking at math scores above and English skills below, the trends are almost identical, with a very slight narrowing of the disparity in the last decade. The good news is that test scores have been increasing for our community. The bad news is that we still have a “failure” rate of 35% of our students. More than one-in-three students do not meet the benchmark performance levels for their English ability. In mathematics, as we can see above, roughly the same failure rate exists.



Source: Author's calculations from Oregon Department of Education data tallied by Pat Burk for data to 2008; ODE website for data in 2009 and 2010.

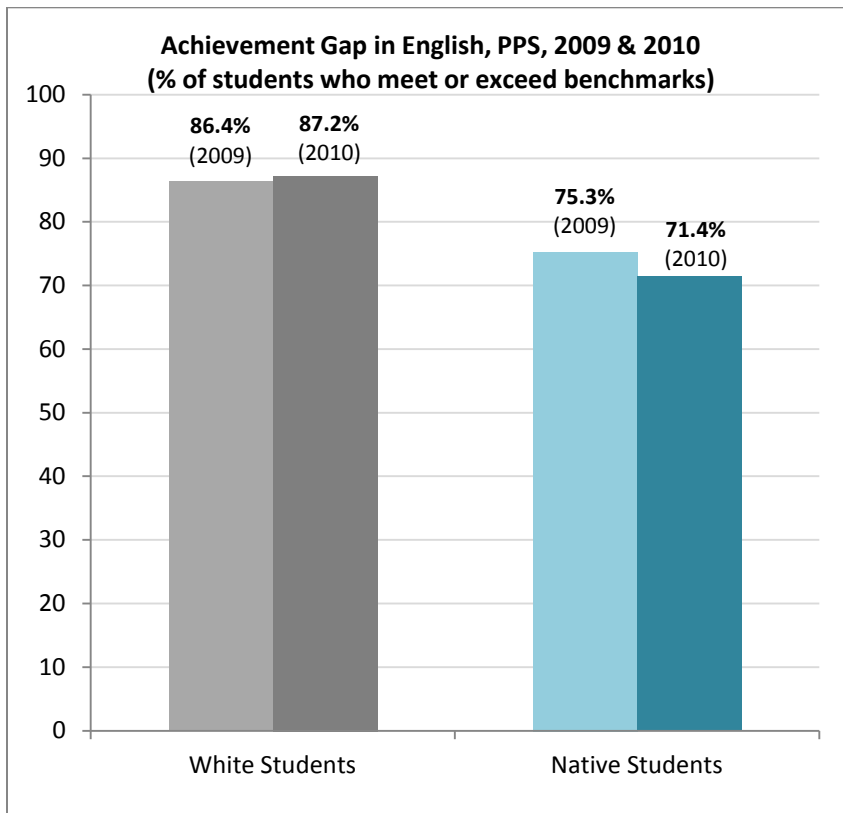
Below, we see that there is a widening gap in test scores in reading and literature for White and Native American students as students move into higher grades. The small disparity in Grade 3 deteriorates to an almost 50% test score differential by Grade 10.



Source: Author's calculations from Oregon Department of Education data tallied by Pat Burk.

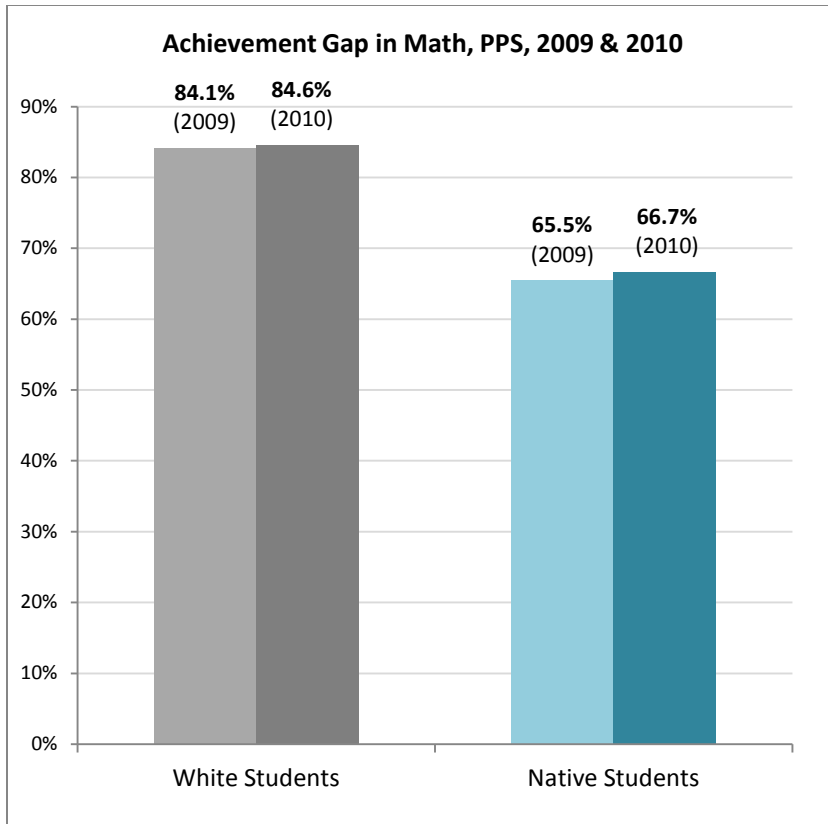
In mathematics, as we see above, the scores are still disparate, but they do not widen over the grade levels. But the news is not good; rather than the Native American students deteriorating at a faster rate, the White students actually deteriorate at just as fast a pace, resulting in a similarly shrinking test score profile. Instead, attention needs to be aimed at the earliest of Native American experiences in math – they reach grade 3 with an already significant disadvantage. Earlier intervention appears warranted in math, whereas reading intervention is needed to prevent growing disparities in higher grades.

Given the primacy of Portland Public Schools for the Native community, we highlight the recent disparities in both Math and English. We see a troubling pattern as disparities in English are on the rise in the last two years. The differential performance where White students improve while Native students lose ground is distressing.



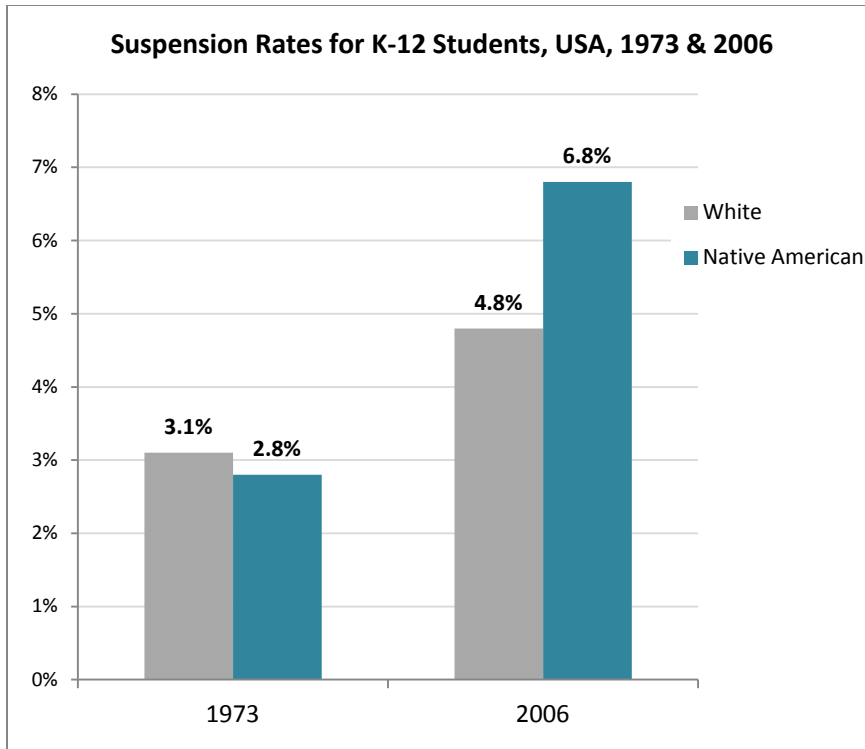
Source: Author’s calculations from Oregon Department of Education data.

Turning to Math performance, disparities have narrowed slightly over the last two years. We are encouraged by the rise in Native students’ scores and encourage the Board to improve on these gains. The fact remains that Native students face an achievement gap that is over 25%.



Source: Author's calculations from Oregon Department of Education data.

One impediment to both successful graduation and to successful testing scores is time spent outside of school. One reason students do not spend time in class is because they are under suspension. Data on discipline rates shows us how this dimension of the educational experience is also deeply fraught with racial disparities, and deteriorating rapidly. Across the USA, discipline rates (measured by suspensions) average 4.8% for Whites and 6.8% for Native Americans. But while rates have doubled for White youth, they have almost tripled for Native American youth.

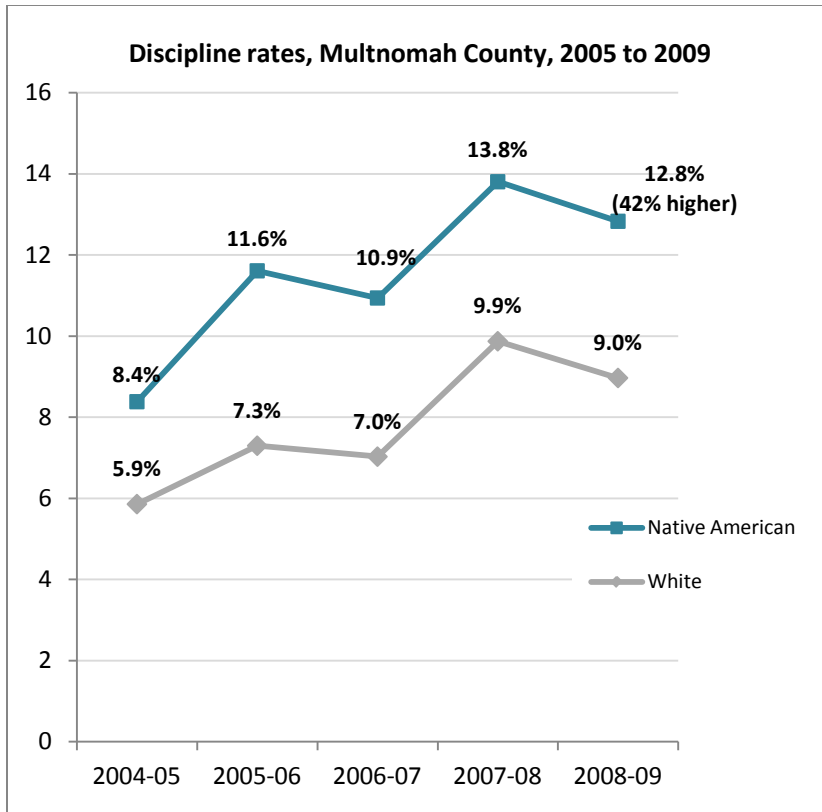


Source: Losen & Skiba (2010).<sup>80</sup>

The rapid increase in suspensions is worrisome, particularly as these trends are partially a result of national, state, and local policies for “zero tolerance” towards behavior that violates school behaviors. Researchers assert that there is no corrective value in providing out-of-school suspensions for misbehavior, nor even that it improves school safety.<sup>81</sup> Instead, it has created a policy context that results in deep racial disparities, and increases the likelihood that students of color will become involved in the juvenile justice system and with drugs and alcohol. They will also be less likely to successfully graduate from school.<sup>82</sup>

At the national level, middle school discipline rates are available (they are not available locally). Nationally, 12.8% of Native American children are suspended from school annually. Among White middle school children, this rate drops to 7%,<sup>83</sup> resulting in a practice that has 82% heavier use of suspensions for Native American middle school students than for White students.

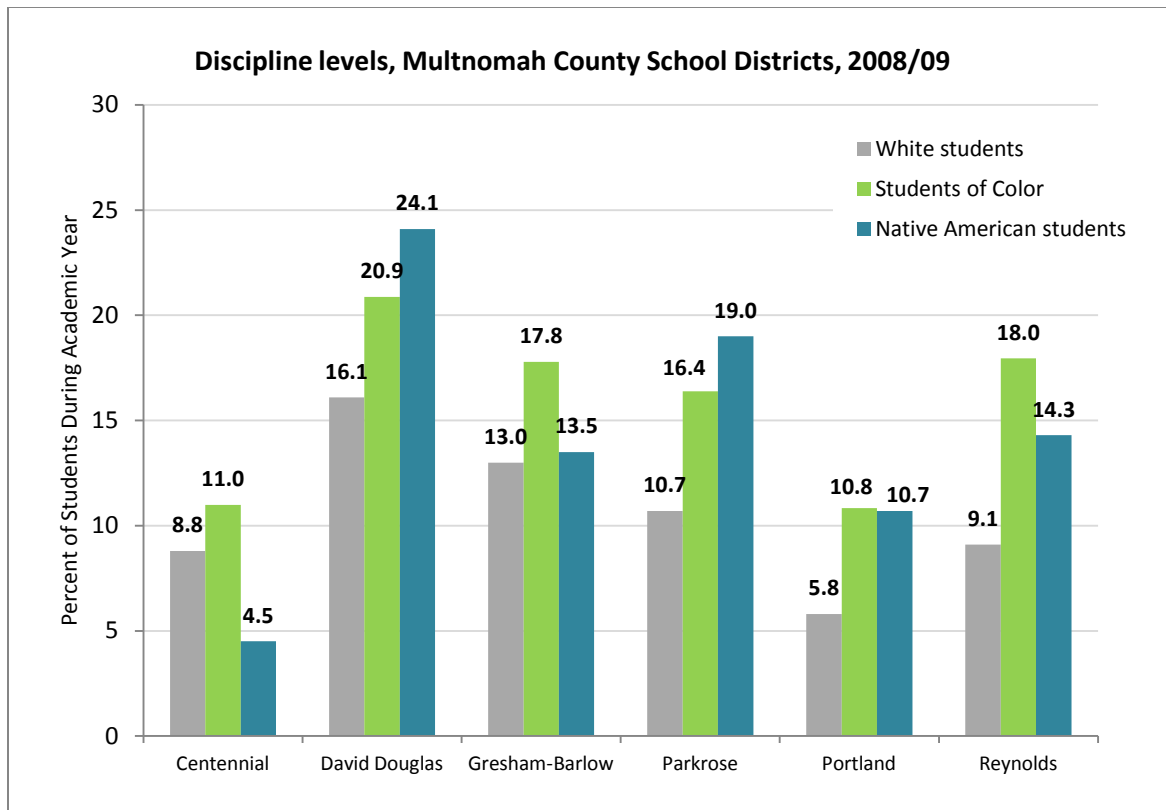
At the local level, high school discipline data (as measured by suspensions and expulsions) are available. Discipline rates reveal deep and pervasive disparities across the years, and across specific school boards. Prior research indicates that students of color are no more disruptive in class, but they receive harsher discipline for their actions.<sup>84</sup>



Source: Author's calculations of data received from ECONorthwest, drawing from data provided by the Oregon Department of Education.

Stated again, because of its importance, we know that students of color are no more likely to misbehave in classrooms than White students, but that they are handled differently by teachers and administrators. And once identified in this way, students who receive discipline are more likely to continue to be disciplined, even when their behavior improves.<sup>85</sup> Given also that discipline practices (suspensions and expulsions) are strongly linked to youth involvement in the juvenile justice system and greater likelihood of dropping out of school,<sup>86</sup> we want to ensure that institutional racism does not contribute to uneven or heavy-handed uses of discipline with our children.

A final look at discipline rates has been disaggregated by school boards. Here we can see that discipline levels vary widely in both magnitude and disparities, as well as the way the Native American community suffers in some school districts but not in others.



Source: Author’s calculations of data received from ECONorthwest, drawing from data provided by the Oregon Department of Education.

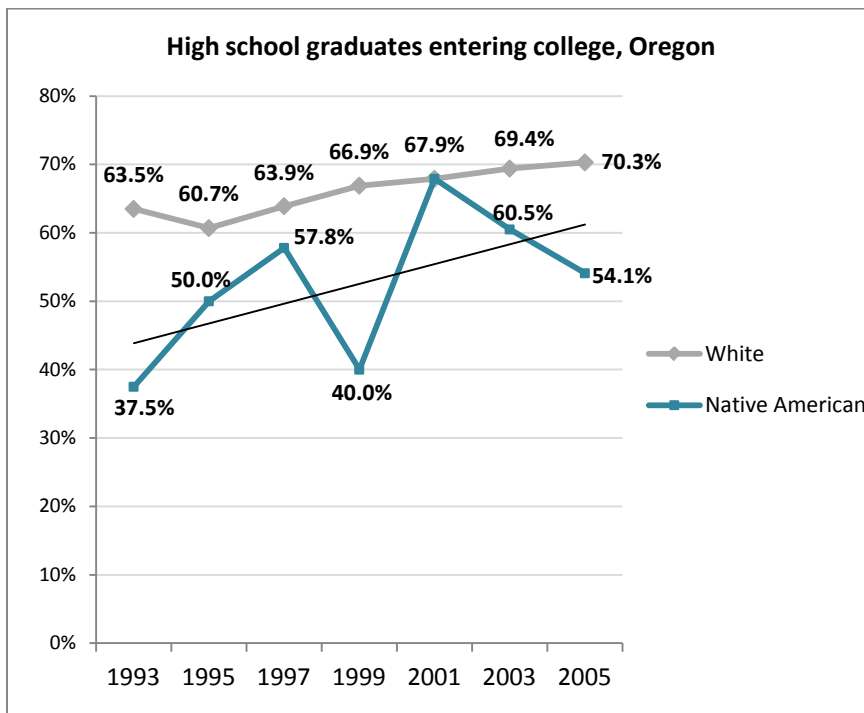
Notice how two school districts, Centennial and Gresham-Barlow, do not suffer from disproportionate suspensions and expulsions of Native American students. These school districts have a strong track record of meaningful engagement with the Native American community. This data indicates that the most pervasive disparities in discipline exist in David Douglas, Parkrose, Portland, and Reynolds. The most egregious targeting of Native American students is in the David Douglas and Parkrose school districts.

A final look at the public school system and racial disparities draws our attention to another program that is differentially accessed by Native children. The “Talented and Gifted” program is designed to support high-end learners in the public school system. The program yields students with the highest test scores, the highest graduation rates, and the lowest dropout rates. In this program, across Oregon, only 3.4% of Native American students are enrolled in TAG while 8.7% of White students are enrolled.<sup>87</sup> Eligibility is a function of parental advocacy, teacher recommendations and test scores, with most standardized tests being understood to hold racial bias. It is time to ensure that we collectively work to remove the barriers to full participation by our Native American children and youth.

If Native youth are able to graduate successfully from high school (and know that 59.8% are not able to do so), they are much less likely to move to higher education than Whites. In the chart below, we see a



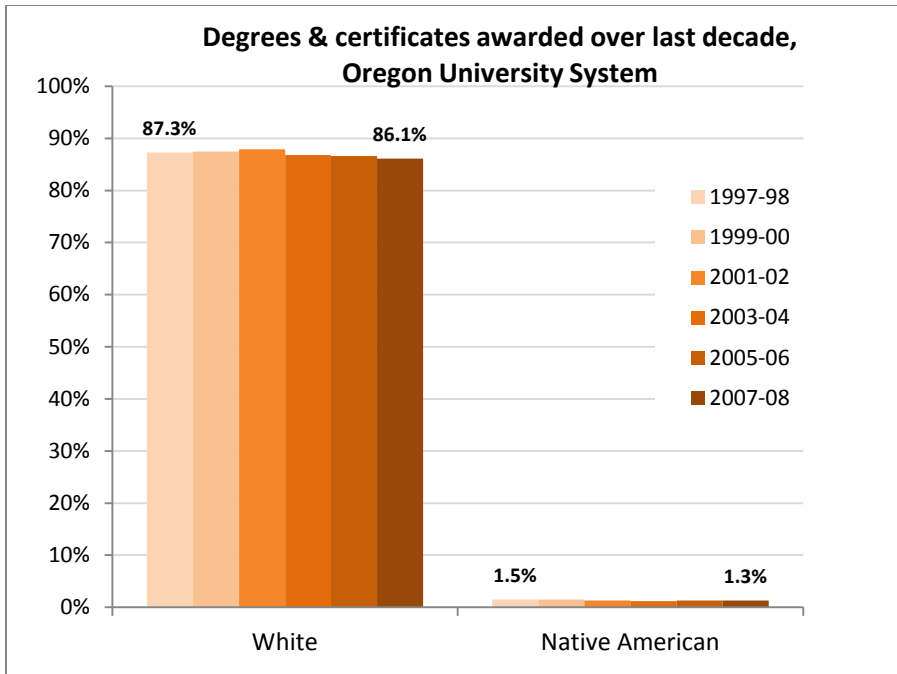
current disparity level of 30% - meaning that among Oregon's graduates, our Native students are 30% less likely than Whites to enter college.



Oregon University System, 2006.<sup>88</sup>

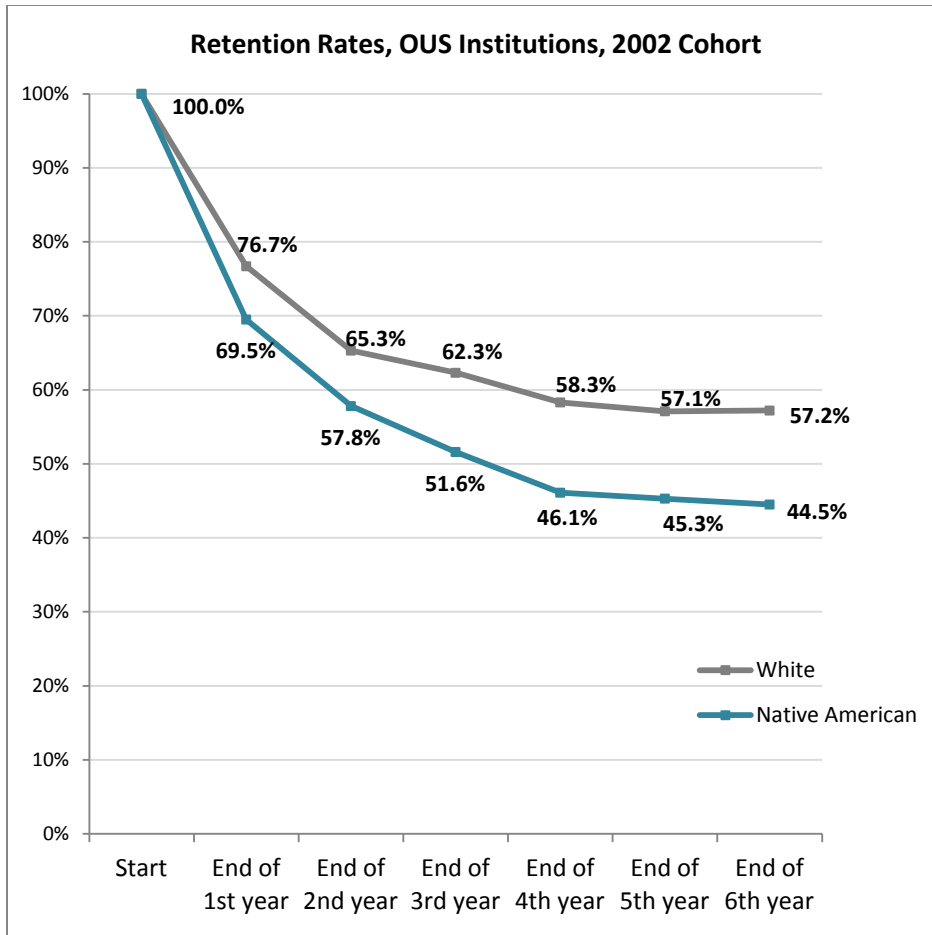
While the overall trend over the last 23 years is narrowing, the current trend over the last 4 years is widening rapidly. Disparities were eliminated in 2001, but have been widening since then.

Turning now to look at retention rates and the likelihood that our students graduate from Oregon's universities, we see that disparities have remained pervasively high over the last decade. The combined influence of poverty, low test scores, and a pervasive disparity with White students (making Whites more attractive candidates), coupled with ongoing institutional racism results in a deeply troubling profile for post-secondary graduation. The results have remained just as White as they were at the opening of the decade. Native American students are not graduating from our universities at a rate that might narrow the gaps in occupational or income experiences.



Source: Author’s calculations of data from Oregon University System Fact Books, selected years.

Current data on retention rates for our seven OUS universities, when tracking a specific cohort of students, shows that even when our students make it to higher education, retention is a serious problem leading to a disparity level that has our Native students attaining success at 28% lower levels than White students.



Source: Author's calculations from OUS Institutional Research Services (2009).<sup>89</sup>

There are few promising signs in the local landscape to suggest that we can expect an improved economic situation for Native Americans. Within mainstream educational institutions, the sole bright spot is the improved test scores over the last decade; however given that they do not come accompanied by a narrowing of disparities, they won't narrow the later economic performance of Native Americans in the region because White youth maintain a competitive advantage over Native American youth that is as entrenched as it was ten years ago.

Outside mainstream educational institutions, we highlight the accomplishments of the NAYA Early College Academy. Since its opening four years ago, it has quickly risen to become the most successful school for Native youth in the city of Portland, retaining 90% of its students year after year, and successfully graduating our youth at the highest levels in the city – at 88% of enrollments.<sup>90</sup> The success of this program is its roots in Native perspectives, culture and inclusion. Being based within a Native American organization means that our youth enter our doors as insiders, welcomed in the fullness of their being, and then engage with highly qualified Native American teachers (over 90% are Native and 88% hold master's degrees) and a curriculum that is culturally appropriate and student-centered. An additional achievement is that the program in 2009/2010 supported an average 3-grade level gain in

reading across all students. Today, more than 120 students are enrolled from across four school districts in Multnomah county.

That Native American parents are able to, collectively, overcome the perils and stressors of poverty to support our children's progress through school signals tenacity. Given that poverty rates for Native people are almost three-fold higher than Whites, and incomes are half those of Whites, one might expect that our children would do only half as well as White children on these standardized tests. But our children's scores are "only" (on average) 22% worse, showing that both Native American children and parents are fighting hard for progress through school. Our community is able to partially compensate for the perils of poverty and all its associated disadvantages – evidence of resilience, creativity and capacity.

In summary, Native Americans are deeply invested in education because it is the most important pathway out of poverty and towards improved jobs, incomes, security, and quality of life. Ongoing inequities mean that we are continuing to relegate Native American students to the tail end of employment prospects. The profile of educational attainment for all adults is likely to change little in the coming generation, as so few of our youth successfully graduate school and so few obtain university educations.

Yet, all information shows that the prospects remain almost equivalently low for this coming generation than those who are already employed, unemployed, or having given up on employment. The entire education system, from kindergarten through post-secondary education, needs much more significant change. The attention it has garnered over the past decade has not resulted in sufficient achievements so as to provide promise that educational disparities will dissolve anytime soon.

## **Barriers to Physical & Behavioral Health**

The fullness of our health challenges extend from birth to death, across all aspects of health care intervention, and from less visible dimensions such as stereotypes and harmful discourses about who we are as a people, to concrete risks such as violence and homelessness. Recently, documentation has been provided at the national level to articulate our health challenges.<sup>91</sup> First and foremost is that on every social determinant of health, we have worse outcomes than Whites. Social determinants are viewed as the precursors to health, and without decent access to these social conditions, one is likely to suffer from illness, disease, and reductions in quality of life. Examples include income, employment, child care, employment conditions, environment, food, housing, health care, social inclusion, education, and access to a decent social safety net when these determinants are not available.<sup>92</sup> A range of challenges face us such as the following:

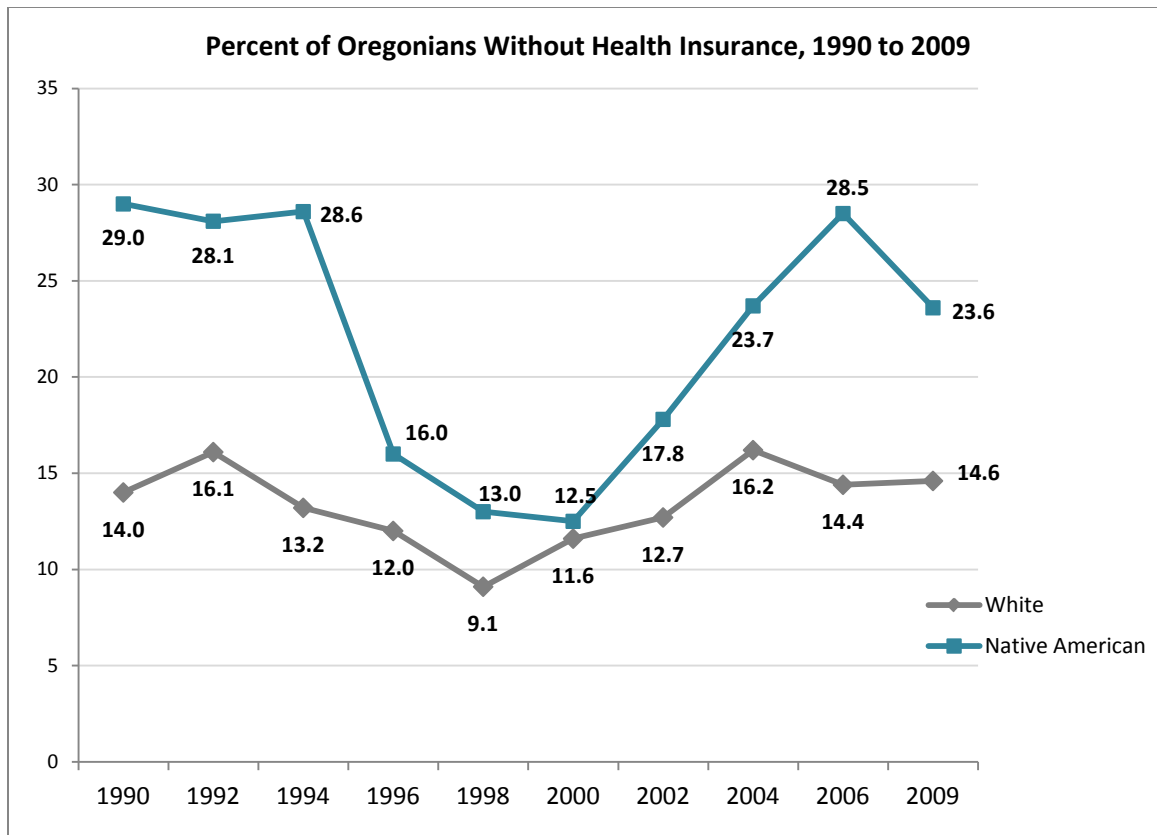
- Lack of access to health care and needed medicines
- Chronic underfunding of the Indian Health Service

- Lower quality care when care is provided
- Care that is disconnected from Native cultures, traditions, and languages
- Racial bias in the doctor's office<sup>93</sup>

Stories abound of overly discriminatory and abusive treatment, with 42% of Native Americans stating they had been treated unfairly when seeking medical care, specifically because of their race. Details of some of these patterns can be witnessed in the fact that, when in heart failure, we receive less frequent intervention, and when in nursing homes, we develop bed sores more frequently. In hospice care, we often don't get adequate pain medication (with the discourse that we are "drug seeking" to blame for this pattern). And so too when we receive end-of-life care, we are less likely than Whites to have our wishes respected.<sup>94</sup> More than ¼ of us indicate that our health providers (doctors and other practitioners) have poor communication with us.

In Multnomah county, data are available on numerous dimensions of deeply troubling health experiences that face Native Americans. Native American teens give birth at rates almost twice those of Whites. Many Native American babies are born at low birth weights. Low birth-weight babies are born to Native Americans at rates 22% higher than for Whites. As their life begins, Native infants die more quickly than Whites, with infant mortality rates almost double that of Whites (0.90% compared to 0.51%) in their first year of life.<sup>95</sup> Imagine the struggles in this community to recover from intergenerational trauma, only to be faced with a high risk of early death. As new hope and joy accompanies the birth of an infant, risk too follows. This loss affects almost 1-in-100 babies, and is double that of White women. With the ripple effects of infant death spreading throughout the community, large networks of indigenous peoples will suffer from such inequities.

One of the reasons for the low weights and early death of so many of our babies is that health care coverage is too low: without coverage (or with expensive co-pays), we delay seeking treatment and diagnoses; interventions are thus delayed – sometimes at levels which shorten our lives. In the chart below, we can see that positive gains in eliminating disparities around the year 2000 have since been lost. Today, disparities are significant. The recent improvement of health care coverage (for 2009) is likely the result of increased numbers of people being enrolled in Medicaid as a result of deteriorating incomes and rising poverty rates.



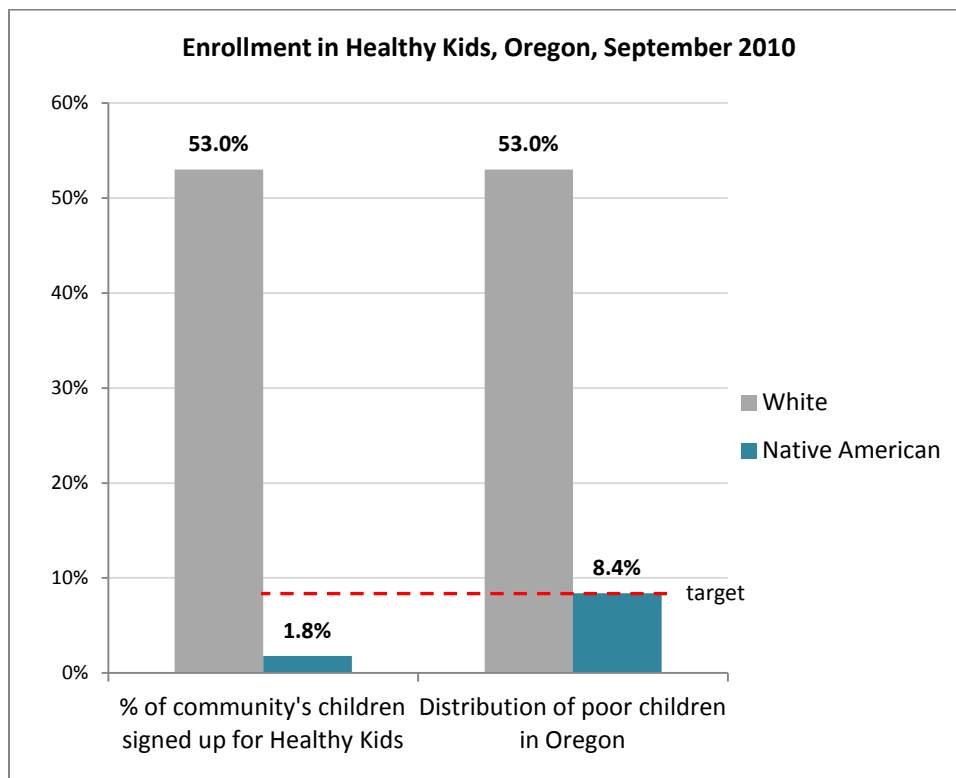
Source: Oregon Population Survey, Oregon Health Policy & Research, 1990-2006.<sup>96</sup> Data for 2009 is from American Community Survey, 2009.

Coverage rates are disastrous for all Oregonians, and particularly abysmal for Native Americans. This graph should illustrate that it is possible to eliminate disparities in coverage between Whites and Native Americans, but that the current path of spiraling costs and shrinking abilities to pay for coverage has led directly to the widening gap and the emergence of a two-fold difference in coverage rates between Whites and Native Americans. So too, the provision of prenatal care is inadequate. Almost 1/3 of Native Americans had no prenatal care in their first trimester. This level drops to 1/6 for White women.<sup>97</sup> Access to health care must be expanded for adults and for children. While significant advances have been promised for coverage of children in the state, their parents must similarly be covered.

For Native Americans with health care coverage, 59% have private insurance and the remaining 41% have Medicare/Medicaid, comparing starkly for Whites, where 73% have private care. But even when Native Americans have coverage, access to care within these plans is limited. For those with coverage, approximately 1/4 do not have adequate access to care. Twenty-eight percent say their health care needs are not at an adequate level, and 22% say their dependants' healthcare needs are not adequately met.<sup>98</sup> Access to medications further limits the health of Native Americans. Less than half of Portland's Native American community has complete access to the medications they need (46.6%). The rest have varying degrees on limits to their medications: 5.3% go without medications every day; 2.0% go without weekly;

11.8% go without on a monthly basis; and 34.4% have occasional limits to their access. Cost is the biggest barrier to meeting healthcare needs.<sup>99</sup>

Improvements in health care for children have occurred in recent years, with the significant expansion in 2009 of 80,000 children in Oregon, covering children up to 200% of the poverty line. Let's explore how successfully our Native American children are doing in becoming enrolled in this program. Below, we see that our Native community makes up 8.4% of the total poor children population in Oregon, but composes only 1.8% of those enrolled in Healthy Kids.



Source: Healthy Kids "Enrollment by Race/Ethnicity," 2010.

Thus, there is a significant racial disparity in our enrollment figures. We aspire to have all of our eligible children enrolled in this program. To their credit, staff in the Healthy Kids office are aware of this issue and are working in partnership to provide improved enrollment access for our children. They also have been making significant efforts to distribute enrollment data in ways that are acceptable to our community. Improvements in collaboration are being experienced, but – as we see above – barriers in such access continue to exist resulting in deep disparities for our community. Decisions by Oregon's Healthy Kids office to expand culturally-specific outreach will, we believe, assist in improving access for our children. We also seek to remove the two-month waiting period for this health insurance program since for some families must decide to go off a costly health insurance program and be without insurance for two months before they can apply with Healthy Kids. This is an inappropriate requirement to access such a program.

Moving beyond health care coverage, we now explore health issues and outcomes. Locally, the lifespan of Native Americans seems to approach that of Whites. At 76 years, on average, this is the same average lifespan as that of Whites.<sup>100</sup> We have, however, uncovered a methodological challenge that suggests this is the result of an artificial increase in the life expectancy of Native Americans, and there is likely to be a much higher early death rate among Native Americans.

Lifespan is measured by mortality rates; mortality calculations are based on death certificates, a practice that occurs across the United States. On death certificates, race reporting is typically the responsibility of a funeral director. Funeral directors often must rely on personal observation to make this determination, or alternately, must gather this information from next of kin. This means that people who self-identified as a particular race or ethnicity may be identified as belonging to another group on their death certificate. The most recent national data shows that there is a 42% error rate on the death certificates of Native Americans.<sup>101</sup> This means that Native American deaths are severely undercounted. Those misclassified are predominantly presumed to be White, thus making the White mortality rate worse than it actually is, and artificially lowering the Native American mortality rate. Correction for death certificate misclassification in the national data makes a large difference in death rates; for the Native American population, correcting for misclassification makes the age-adjusted death rate climb from 85% to 111% of that of the White population.<sup>102</sup> This changes a relatively large Native American-to-White mortality advantage to a relatively large disadvantage! It is very likely that local data mirrors this trend and that there is actually a significant disparity in mortality rates between Whites and Native Americans locally.

Unfortunately these mortality data also provide us with information about chronic and infectious diseases like cancers, diabetes, heart disease, and strokes. Mortality from these diseases is equivalent between Whites and Native Americans locally as reported through the death certificates. In the local data, the sole exception to equivalency between Whites and Native Americans is death from HIV/AIDS, where there is a three-fold higher incidence of death among Native Americans. Of additional concern is that death from HIV is worsening rapidly.<sup>103</sup> Deaths from HIV were roughly equivalent in the late 1990s, but by 2007 had grown to more than triple the death rate of Whites. It is likely that less health care access, lower incomes, and shrinking access to drugs to delay the onset of AIDS and to prolong life accounts for this difference.

Below are listed the summary of health disparities in Multnomah county where pronounced disparities have either been uncovered, or would likely be confirmed if more accurate data collection practices were routinely used. From a social determinants of health framework – one that acknowledges that issues of poverty, social exclusion, racism, food insecurity and hunger, housing inadequacy, poor working conditions, weak education, and low income create conditions that worsen health<sup>104</sup> – it is not surprising that Native Americans, and indeed communities of color as a whole, face deep disparities with White populations in an array of health measures.



2003-2007	White	Native American
No prenatal care	16.0%	30.8%
Infant mortality	0.5%	0.9%
Low birth weight babies	5.9%	7.2%
Teen birth rate	10.7%	26.7%
Death from heart disease	0.122/thousand	No disparities exist but error rate in death records may hold an undercount as high as 42%
Death from diabetes	0.297/thousand	
Death from cancer	0.206/thousand	
Death from HIV disease	4/hundred thousand	12.4/hundred thousand
Chlamydia incidence	2.4/thousand	3.6/thousand

Source: Multnomah County Health Department (2011).<sup>105</sup>

Better research would allow us better strategies to intervene in ways to improve health and well being. If better financing is made available, diseases like cancers, diabetes, heart disease, and strokes would best be studied by incidence rates, age of onset and degree of impact the disease has on one’s life, as opposed to relying on inaccurate mortality rates and the levels at which our communities die from these diseases.

We know that nationally, Native Americans face higher mortality rates from tuberculosis, chronic liver disease and cirrhosis, accidents, diabetes, pneumonia, suicide, and homicide compared to other racial and ethnic groups. We also know that substantial health disparities exist for many conditions, including heart disease, tuberculosis, sexually transmitted infections, and injuries. In addition, the prevalence of diabetes is higher among Native Americans than among any other racial or ethnic group in the US and has been increasing. Because of their compromised health status, Native Americans are also the most likely of any racial or ethnic group to have a functional limitation caused by at least one chronic condition.<sup>106</sup>

Turning now to social conditions that affect well being, we know that our youth are subject to the ongoing aggressions of racism. Being a victim of racial harassment and violence is an important dimension of health. We know that the stressors of living with racism influence blood pressure, birth weights, heart disease and mental health.<sup>107</sup> Some researchers are beginning to frame it as “premature aging.”<sup>108</sup> Many students of color experience harassment; while these data are not available for specific communities of color, we believe it important to recall the scope of the ongoing indignities of racism. Currently, 26.5% of students in grade 8 in Multnomah county report that they had experienced “harassment about [...] race or ethnic origin” at or on the way to school in the prior 30 days.<sup>109</sup> This number falls only slightly when surveying grade 11 students – to 24.7%. This is a startlingly high figure, yet not unexpected.

Racism experienced by adults is of similar concern. Our community experiences racism in multiple areas of daily living, as illustrated in a survey of 424 residents of the Portland region.<sup>110</sup> Over half of our community has experienced racism in dealings with law enforcement. Forty percent have experienced

racism in housing, while shopping, and in schools, colleges and daycare. Between 30% and 35% of our community has experienced racism while dining in restaurants, in the workplace, and in social services. In health care, racism has been experienced by 25% of our community.

We are becoming aware that the physical toll of living with racism and its daily indignities harms several essential bodily functions such as blood pressure, maternal health, hormonal balance (with high rates of the stress hormone, cortisol, understood to be pronounced among communities of color), and mental health. Nowhere is the toll of racism higher than the experience of Native American youth who are likely to commit suicide at levels that are 70% higher than among the general population.<sup>111</sup> For those youth covered by the Indian Health Service, the rate is 3 times higher than for youth in the general population.<sup>112</sup> The explanation for this is that all adolescents are likely to experience crises in their lives that cause them to contemplate suicide, but that “for most of us, most of the time, there is a “rub’—some future possibility to which death would put an end, or some future prospect that we are not prepared to forego.”<sup>113</sup> The promise for a brighter future is not clear for Native American youth, and it is this shrinking of prospects for a better life that lead too many of our youth to suicide.

One of the pains our community continues to recover from is the forced sterilization of thousands of our women. During the 1960s and 1970s, involuntary sterilization of Native American women was rampant. Legalized in the early 1900s and enacted until 1983, the State of Oregon permitted involuntary sterilization, using it often as a condition of release from state institutions. This practice was determined as routine where young Native women resided, such as mental health or child welfare facilities, unruly teenage homes and criminal justice settings. Research into the practices of Oregon’s Board of Eugenics revealed that up until 1960 forcible removal of ovaries occurred for women when “procreation would produce children with an inherited tendency to feeble-mindedness, insanity, epilepsy, criminality, or degeneracy.”<sup>114</sup> The fullness of Oregon’s participation in this atrocity is not clear, although thousands were sterilized and the birthrate plummeted for our community. Across the USA, the fertility rate among women of childbearing age went from 3.79 children in the 1970 Census to 1.80 children in 1980.<sup>115</sup> Files were destroyed or lost, and medical records of actual surgeries remain sealed. A formal apology from Oregon’s then-Governor John Kitzhaber occurred in 2002, admitting the state’s role in sterilizations of women in Oregon. Our County-run health clinics were one of the institutions that took part in these sterilizations. Until 2002, no official recognition had occurred.

Sterilization included coercion of women of child-bearing age along with forced sterilization of women in state institutions. The numbers were huge, ranging between 25% and 40% of Native women of child-bearing age.<sup>116</sup> Native American men were also sterilized from fathering children, as often they too were required to be castrated before leaving state facilities. This practice extended into the residential school system across the USA, and women were threatened with removal of their children into child welfare custody if they did not comply.

Imagine the damages done to the Native Americans community's health and well being at the hands of mainstream society. Death, destruction of livelihood, removal of children into residential schools (and later into child welfare foster homes), the illegalization of our cultural and spiritual practices, forcible sterilization, and termination of Tribes were all carried out with the assertion that these were acts of civilizing and integrating our people into the fabric that is the USA.

Pains of the past continue with us today, and little surprise that Native Americans are more likely to be current drinkers compared with other adults.<sup>117</sup> Alcohol, in particular, has damaged this community. At its starkest, alcohol is responsible for 12% of the deaths among Native Americans – three times the levels of such deaths among Whites.<sup>118</sup>

Remember that the introduction of alcohol to this community was intentional to gain power over Native Americans in trade and land encroachment by European traders, allowing Natives to be cheated of land, furs, and even their lives. Damage to the community has continued through attempted cultural genocide, coupled with fear of their children being taken by the state, and deep grief when it did. The intergenerational trauma that resulted, along with the suppression of traditional ways of life, has left many Native Americans with pain too large to bear. It is clear that alcohol use has been a way to numb this loss. Today, when many in the community continue to be afraid to self-identify as Native American, the depth of the community's damage at the hands of White colonizers and perpetrators of institutional racism continues as an impetus to self-medicate.

Alcohol statistics are changing – perhaps an indicator that our community is on a pathway to recovery. While older statistics show how alcohol consumption was much higher with an earlier onset for Native Americans, the most recent data shows that Whites have taken the lead on binge drinking and frequency of drinking among youth. In 2008, 30% of young Whites (age 12-20) indicated in a survey that they drank in the last month whereas “only” 26% of Native Americans did so. It is important to note, however, that the same study has an additional 23% of respondents identified as having “two or more races” of which a large portion is likely to be Native Americans.<sup>119</sup> Substance dependence (meaning more heavy use than the prior statistic) is somewhat less for Whites (9%) than for Native Americans (11%). Again, however, this level is likely to need to be upwardly recalculated as there is a significant additional level of 10% for those of two races.

These statistics show us that the pattern of alcohol use among Native Americans is changing, and that the historic pains of residential schools, forced relocation, and bans on cultural and religious expressions might be fading. But know that this pain will never be fully healed, and its toll on the community has narrowed our chances to build a legacy of wealth and well being. As long as the futures of our youth continue to be narrowed because of their identity as Native American (through dismal statistics on education, income, occupation, health, and more), this absence of hopefulness will continue to punish the community and substance use and abuse will continue. Another substance we are challenged by is methamphetamine; today, we have the highest rate of use of this substance among all communities.<sup>120</sup>

This is not an uncommon challenge, but it is deepened by the fact that we have not been provided sufficient resources and infrastructure supports to respond to the emerging crisis.

At the front of the recovery movement are indigenous peoples. The Native American community has worked for decades to heal our people, working from an indigenous worldview that recognizes both the legacy of colonization, and the need for grieving and spiritual healing. Strong ties to Native traditions and community gatherings result in the growth of culturally-specific healing centers, as illustrated by the Native American Rehabilitation Association of the Northwest (NARA). It is essential that culturally-specific services be well resourced and widely available to all our peoples. Interrupting our people's ability to care for each other and to access spiritual, emotional, physical and mental well being has been the White colonizer's legacy in our communities. This is the challenge of our recovery.

Culturally-specific services in our community must be adequately resourced by the policy community at all levels of government. We know our communities best, and have trusting relationships with our peoples. Relationships with the White mainstream society are tenuous, owing to the many times that our voices have been ignored, our livelihoods threatened and our communities destroyed. Presumptions that services can be delivered as a "one-size-fits-all" solution are failing our people. We need control over our resources and control over how to configure supports for our communities. Improvements to our health and well being depend on expanding culturally-specific services in the Native American community. It is only through this path that the legacy and present manifestations of institutional racism, colonization, and imperialism can be addressed. While we need to reconfigure and renew conventional human services to better meet our community's needs, we cannot delay immediate and expanded supports for culturally-specific services that are led and run by our own people.

## **Crime & Adult Corrections**

Native American involvement in criminal activity has been dropping over the last 15 years. Among those charged with a crime, our statistics have gone from 1.4% of our population in 1990 to 1.1% in 2005.<sup>121</sup>

The good news is that crimes are dropping across the population; the bad news is that more Native Americans are charged for crimes than Whites at 37% higher, illustrating high and growing disproportionality in the arrests made of Native Americans.<sup>122</sup>

The causes for these differences is unclear, and while most research points to differences in arrest and conviction rates to show that people of color commit more crimes than Whites, we do not really know if there are higher levels of crime in our community. In fact, it is highly probable that the higher arrest and sentencing rates are due to racial profiling, and policing and judicial bias.

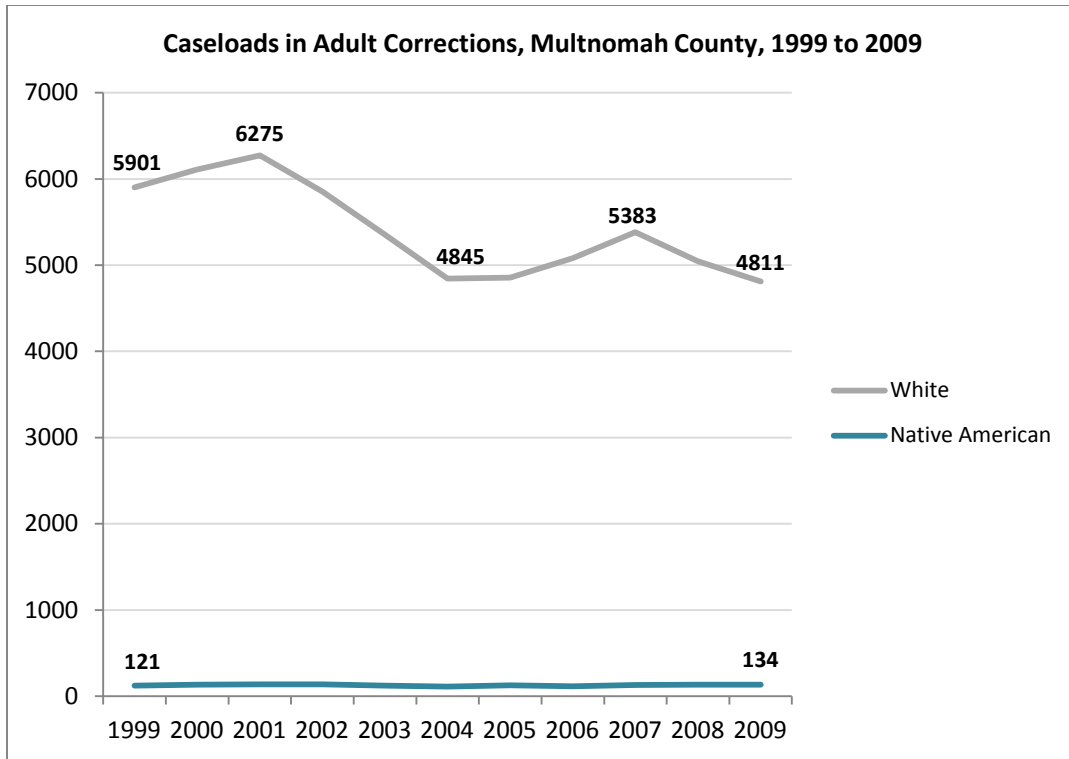
We do know that our people are policed more heavily than Whites. Racial profiling is not prohibited by the police in Multnomah county although it is a practice that is reprehensible to all communities of

color. Referring to “the inappropriate reliance on race as a factor in deciding to stop and/or search an individual,”<sup>123</sup> this contact begins the process of engagement with the justice system. The scope of racial profiling in the local region led the Portland Police Bureau in 2006 to officially confirm that racial profiling existed within the police force. Numerous community dialogues have occurred in the last ten years, including a major initiative undertaken in 2006 which led to a set of demands which included having the Portland Police Bureau release its own plan to address racial profiling. Released in 2008, the report issued commitments to diversify the Bureau’s workforce, upgrade the skills of officers, build trust and understanding with communities of color, and research police stop data more accurately and reliably.<sup>124</sup>

Racial profiling is evident in the local region. Drivers of color are stopped at disproportionate levels compared with White drivers, although the level of Native American contact is roughly proportionate. This may, however, be because many times Native Americans are mistaken as White. We believe that when our people “look” Native, there is likely to be disproportionate engagement, though data to support this assertion does not, as yet, exist. Our review of available data, as provided below, will illustrate that once our Native identity becomes clear, we end up with disproportionate engagement with the justice system.

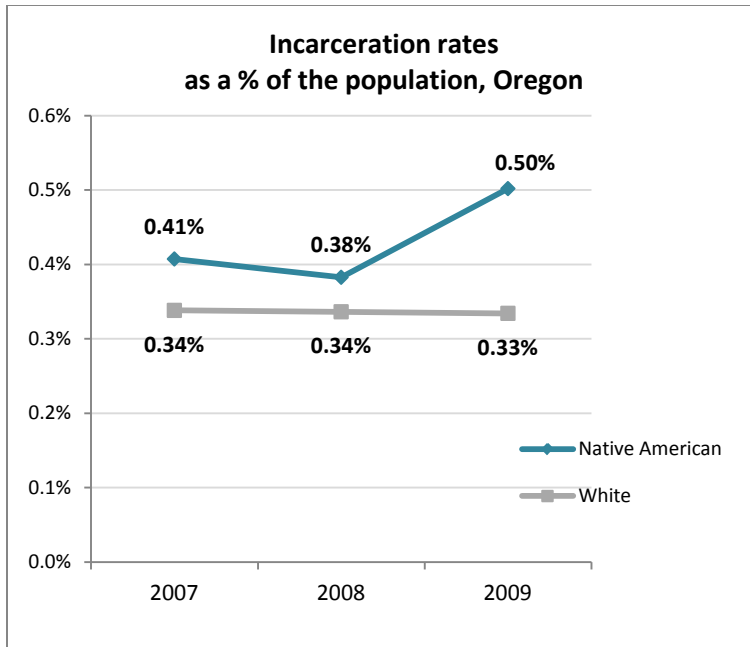
One remedial reform is to diversify the race and ethnicity of the police department. Native Americans are underrepresented by about 20% in the Portland Police Bureau.<sup>125</sup> Similarly, proportionality in staffing is required throughout the justice system in terms of those who prepare sentencing reports, judicial officials who sentence our people, and those who provide services for those in our community who are under surveillance, incarcerated, or on parole.

Currently, Native Americans are overrepresented among those on probation in Multnomah County. If there was proportionality within the adult correctional system, Native Americans would have 1.6% of the population involved in the justice system; we are instead involved at 1.9%.<sup>126</sup> This results in a disproportionality of almost 20%. Below, we can also see trends in justice system engagement; as the numbers of Whites decreases, the numbers of Native Americans rises. The disparity, however, will be reduced, but not because of an improved situation facing Native Americans, but rather because of the decreasing caseloads among Whites.



Source: Oregon Department of Corrections' Community Population Profile (Biannual Profiles: Jan. 2010).

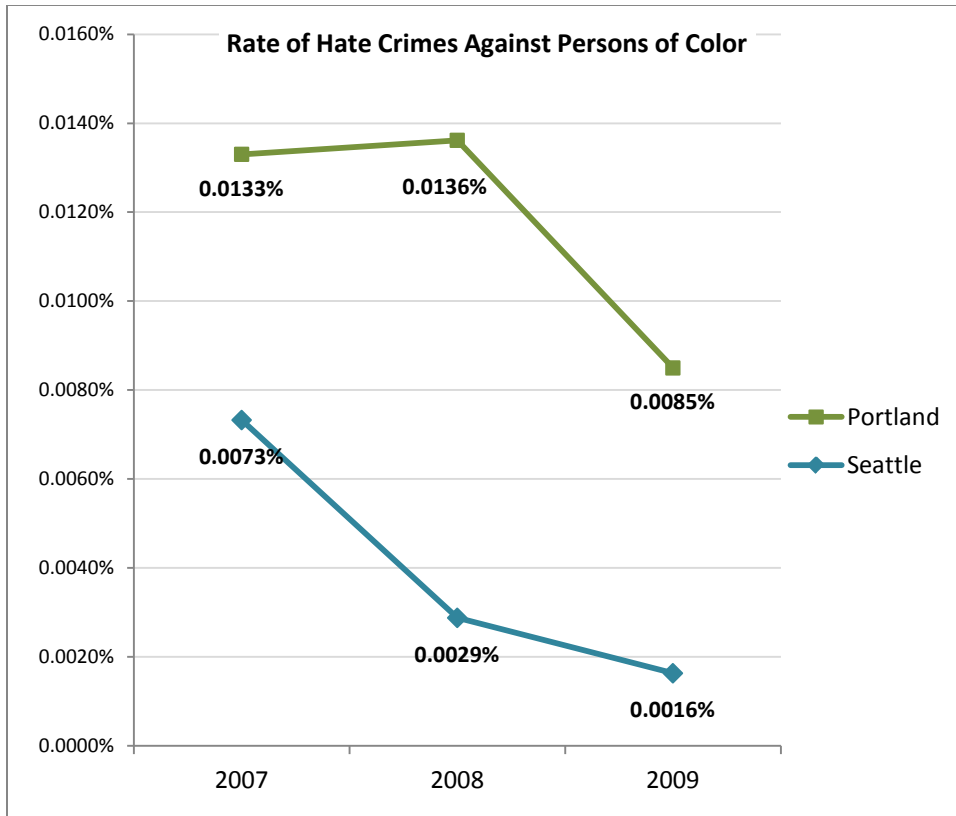
When we turn our attention to those incarcerated, we see that disparities grow very large. The Oregon-wide data (the absence of correctional facilities in the county makes examining the state-wide data necessary, as residents are spread over the whole state), shows that Native Americans experience an 51.5% level of disproportionality with Whites when it comes to incarceration.<sup>127</sup>



Source: Author's calculation of Oregon Department of Corrections data, selected years.<sup>128</sup>

This evidence of unequal treatment suggests that the system is ripe with institutional racism that has its roots in a combination of over-policing, over-charging, inequities in being held in detention, plus inequities in how probation officers make recommendations and how judges adjudicate a case. One pervasive problem is the ongoing lack of resources dedicated to re-entry programs for Native Americans.

At the other end of the criminal justice system, we have a preponderance of Native Americans who are victims of both hate crimes and crimes in general. The US Department of Justice has determined that our overrepresentation in violent crime is at a level two-times higher than our numbers warrant, with one-in-two of us a victim of violent crime, at a rate 250% higher than for Whites.<sup>129</sup> This is twice higher than for African Americans who were long-considered those most likely to be victims of crime. To deepen the crisis, Native people are more likely to be victimized by someone of a different race than other communities, since non-Natives perpetrate 70% of such crime. This is US-level data; we do not have these data available at the local level, but have used available data for Seattle and Portland (as shown below) to illustrate that there is a significant local dimension to the problem.



Source: FBI Hate Crime Statistics, 2009, 2008 and 2007. American Community Survey data used for population counts for each city.<sup>130</sup>

Here, we see that the level of hate crimes is reducing (as is the case for all crime), but that hate crimes are experienced at heavier levels compared with Seattle. Our rate locally is five-times higher than Seattle. Know too, that hate crimes are vastly underreported; it is estimated that 90% of hate crimes against Native Americans go unreported, with the following reason identified: “[negative] historical and contemporary experience with the police, and the perception they do not take Native American victimization seriously.”<sup>131</sup>

In summary, the levels of disproportionality are high between Native Americans and Whites, and these disparities are experienced in policing, being charged, being incarcerated, and being the victim of violent crime (nationally) and being targeted by hate crimes (compared with Seattle).

## Juvenile Justice

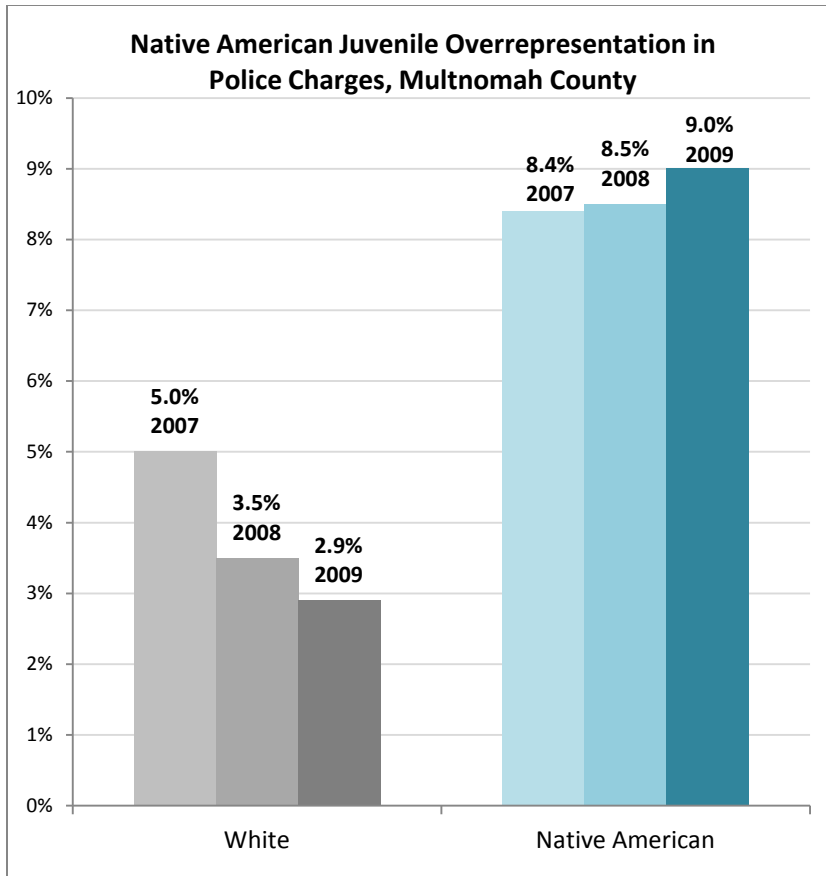
The first statement to make about youth who break the law is that youth of color are not more predisposed to criminal behavior nor are they likely breaking the law more often. What happens, instead, is that certain groups are policed more heavily than Whites. Such groups are likely to be



poverty-laden, communities of color – although recent research suggests that the poverty issue matters much less in over-policing than one’s racial identity. When a high proportion of people of color are policed more heavily, policing bias then contributes to more harsh interventions with youth of color when they are stopped by the police. Instead of racial differences in criminal activity, we are more likely to have differences in neighborhood characteristics, family disruption and stability, and prevalence in having dropped out of school.<sup>132</sup> Disparities thus exist for reasons of conscious and unconscious decision making by police and juvenile justice administrators.<sup>133</sup>

National research shows that our Native youth are subject to much higher rates of convictions and harsher sentencing, although they are not facing disproportionality in arrest rates.<sup>134</sup> Our youth are, perhaps most troubling, subject to a particularly harsh treatment of being transferred to adult prisons to serve out their sentences. Native American youth make up 31% of the youth transferred to the Federal Bureau of Prisons to serve out their juvenile sentences.<sup>135</sup> Such practice is permitted when sentences are long, when youth are awaiting trials as adults, and when youth turn 18 during the serving of their sentences. Also of concern is the pattern of charging juveniles as adults – a practice that many view as a way to provide “adult time for adult crime” and by others as a needless practice that increases the chances of youth reoffending (rather than decreasing such likelihood).<sup>136</sup> Concerns abound when we find that 82% of juvenile cases filed in adult court involve youth of color. Violence done to youth in adult facilities is profound; when held in adult facilities, youth are sexually assaulted five times more frequently, commit suicide eight times more often, and become victims of weapon-involved assaults 50% more often than youth held in juvenile facilities.<sup>137</sup> While these data are not available for Native youth explicitly, we know through anecdotal information that our youth are transferred to adult court more often than numbers warrant.

Today in Multnomah county, Native youth are 3.1 times more likely than White youth to be charged by the police for an illegal behavior, and as illustrated in the chart below, this number is growing, and the disparities with White youth are expanding rapidly. This is because a significant drop in criminal charges for Whites is not being experienced by Native youth, and over-policing of Native youth is increasing.



Sources: Rhyne & Pascual (2009) for 2007 & 2008 data<sup>138</sup> and Wu & Rhyne (2010) for 2009 data.

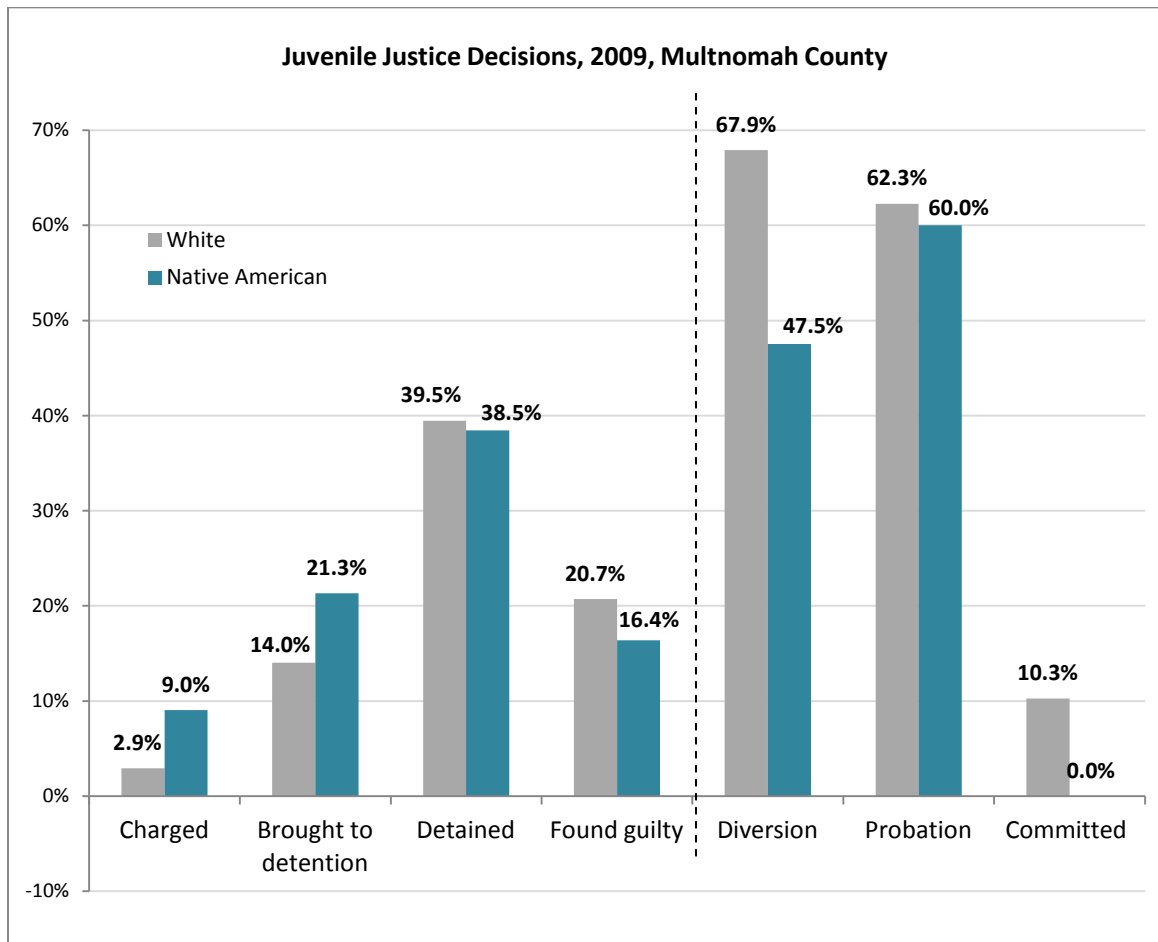
This overrepresentation is much more likely to be the result of over-policing in our communities, racial profiling, and policing biases, assumptions and stereotypes. A national study puts the degree of Native youth police charges at 4.6%,<sup>139</sup> but locally we have a police charge rate of 9.0%, indicating we have a significant local pattern of heightened police activity with our youth. This is unlikely to be the cause of actual criminal activity, but rather a result of policing bias.

If no disparities existed, we could expect to have 20 Native youth charged with a crime during the course of a year. Instead we find that 61 of our youth were charged in 2009.<sup>140</sup> To explain further, if we take White youth sentencing as the “normal” standard, we would expect a level of criminal offenders to be 2.9% of the population of our youth. This would equal 20 of our youth charged annually. Instead, 61 of our youth are charged, meaning that there is a disparity of more than three times higher than our numbers warrant.

For the social scientists reviewing this report, this is equivalent to a Relative Rate Index (RRI) of 3.10<sup>141</sup> for Native Americans. Two forces are simultaneously at work that help explain the existence of this disparity. Low rates of charges among White youth illustrate what has been called the “halo” effect<sup>142</sup> which works to provide White youth protection from the most harmful impacts of engagement with

juvenile justice. White youth are inclined to be forgiven, afforded the benefit of uncertainty, and presumed to have learned from experience. The second opposing force occurs for youth of color who are given fewer of such benefits. Our youth are vulnerable to damaging discourses about who they are, how they are to be believed, and whether or not a criminal charge is “deserved.” The absence of Native Americans within the police force further deepens the likelihood that negative discourses are challenged. Furthermore, there are no culturally-specific justice-specific services for Native American youth involved with the juvenile justice system, meaning that our youth do not receive culturally-relevant services when they are in the justice system.

Turning to the details of what happens to youth who are charged by police, we see that there are marked differences with Whites in three key areas: being charged by police, being brought to detention, and being diverted from the criminal justice system without a record.



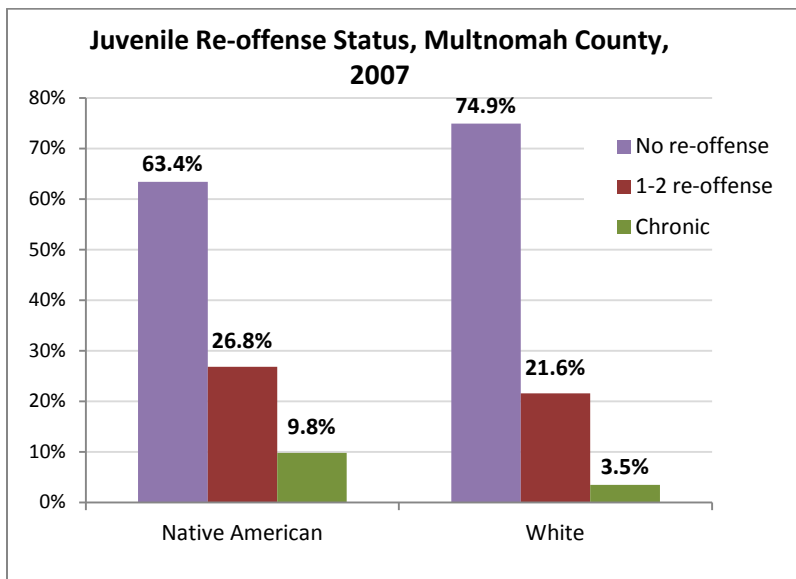
Source: Author’s calculations based on data from Wu & Rhyne (2010).<sup>143</sup>

Here we can see that disparities exist wherever the bar is higher for Native youth than for White youth. Our Native youth are more likely to be charged, and brought to detention. Turning attention to the right three columns, we see the pattern in sentencing. We are much less likely to participate in diversion

which would be a way to extract our youth from the justice system; this is not a positive finding. The likelihood we will be placed on probation is roughly equivalent to Whites. Please know that the numbers of our youth being committed to custody was zero last year – but in the prior year was two, and this number was disproportionately high, but because the numbers are low, the data itself creates a dramatic pattern (both high and low) while very few youth are involved.

It is time to pay much closer attention to the disparities in policing practices that result in too many of our youth being charged and too many being brought to detention. This pattern – and the fact that it has been worsening over the last three years – must elicit our attention. Disparities need to be addressed comprehensively before unwarranted numbers of our youth have their futures narrowed due to criminal records and involvement in the justice system.

Following our youth more deeply into the system, we find that more Native youth are being charged with recidivating once engaged in the criminal justice system. Native American youth were more likely than Whites to re-offend with one to two offenses, as well as to become part of the chronic re-offender sub-population.<sup>144</sup> Native American recidivists are much more likely to be non-violent than violent, but are still disproportionately re-engaging the system again once such contact has begun.<sup>145</sup>



Source: Rhyne, Churchill & Hamblin (2008).

The issue of disproportionality among Native youth has yet to receive much attention among policy makers. It is time for this to change. We see that the deeper into the system that our youth enter, the more likely they are to receive disproportionate treatment. This leads us to consider that damaging perspectives of Native Americans influences the decisions made throughout the justice system. It is time to reverse these disparities, particularly in the area of how our justice system-involved youth are returning once system contact has begun.

## Child Welfare

Imagine a scenario where one quarter of all the children in your community were taken, separated from their families, and then placed in institutions, foster, or adoptive homes far from where you lived. This occurred through the residential school system until 1978, and was a government-sanctioned reality for most Native communities.<sup>146</sup> This legacy continues today, albeit in the modified form of “child welfare,” done within the ethos of child protection rather than assimilation. Today in Multnomah county, more than one-in-five Native children is removed from their family and taken into child welfare custody.<sup>147</sup>

How did this happen? The actions of federal government agencies, state child welfare systems, and state courts through the 1950s and 60s made this mass removal possible. For example, in 1957, the federal Bureau of Indian Affairs contracted with the Child Welfare League of America to operate a clearinghouse for the interstate placement of Indian children with non-Indian families. The mission of the Indian Adoption project was “clear and deliberate” about the placement of Native children with Caucasian families far from the reservation—in the words of one official in 1950, “If you want to solve the Indian problem, you can do it in one generation. You can take all of our children of school age and move them bodily out of the Indian country and transport them to some other part of the United States. Where there are civilized people....”<sup>148</sup> The Indian Adoption Project promoted the adoption of Native children so well that the demand by adoptive parents (middle-class Whites) for Native children exceeded the capacity of the project. The project sparked an adoption movement which stimulated the additional adoption of thousands of Native children.<sup>149</sup> In the project’s lifetime, more children were placed for adoption by the child’s home state than by the project itself.<sup>150</sup>

During this era, the loss of Indian children to state child welfare bureaucracies was so common that Tribes began passing resolutions demanding an end to child removal practices by state child welfare agencies. In response, the Association on American Indian Affairs (AAIA) undertook a series of studies in 1969 and again in 1974. The surveys conducted by the AAIA found that 25-35% of all Native children had been separated from their families and placed in foster or adoptive homes or in institutions.<sup>151</sup>

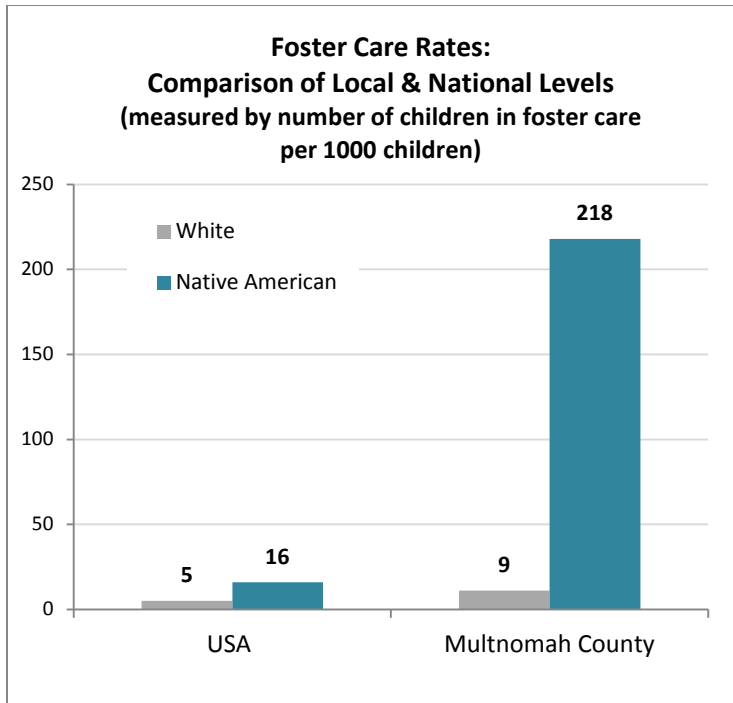
Statistics for removal varied in different parts of the country. In Maine, children were placed in foster care at a rate 19 times greater than that for non-Indian children. In New Mexico, Indian children were being separated from their families at a rate 74 times that for non-Indian children.<sup>152</sup> A report published by the House Committee on Interior and Insular Affairs in 1978 highlighted these same conditions in other states, showing, for example, that in the state of Washington, the Indian adoption rate was 19 times greater and the foster care rate 10 times greater for Natives than for other children.<sup>153</sup>

Poverty, poor housing, lack of modern plumbing, and overcrowding were often cited by state social workers as proof of parental neglect and provided the grounds for initiation of child custody proceedings.<sup>154</sup> In fact, the welfare agency was the one most likely to initiate an Indian child's removal

from their home.<sup>155</sup> According to the House Committee on Interior and Insular Affairs report, few Indian children were removed from their families on the grounds of physical abuse. For example, a study of a tribe in the Northwest showed that physical abuse was cited as the reason for removal in only about 1% of cases, the remaining 99% were argued on vague grounds of "neglect" or "social deprivation."<sup>156</sup> Many social workers and judges who assessed the Native family without cultural knowledge (imposing their own economic and cultural values, behavioral standards, and racial prejudices) interpreted the child's best interests as served by removal from the Native family and culture. This was despite, in most instances, a tribal insistence that family preservation and tribal integrity were in children's best interest.<sup>157</sup>

Based on the data collected by the AAIA regarding foster care and adoption placements for Indian children and the efforts of Indian activists, Congress determined that fundamental changes in Indian child welfare policy and practices were necessary and passed the Indian Child Welfare Act (ICWA) in 1978.<sup>158</sup> ICWA represents a significant advance in the US legal system to recognize the tribal context of child custody and reflects generations of community advocacy efforts to respond to governments' removal of Native children.

Even with the ICWA in place, Native American children remain vulnerable to disproportionality in child welfare systems today. A look at the local child welfare data for children and families in Multnomah county shows considerable disproportionality for Native Americans.<sup>159</sup> While national averages show disparate representation of Native Americans in foster care systems across the country, this situation is especially pronounced in Multnomah county, where foster care rates (per 1,000 child population) are much higher than national levels and vastly higher among our Native community.<sup>160</sup> These data place us among the worst performers at 46<sup>th</sup> in the nation with only four states performing worse than Oregon.<sup>161</sup>



Source: Author's calculations for Multnomah County from data from Miller et al. (2009); for national data, see Child Welfare League of America (2008).

When we compile and review the pattern of children in foster care, we notice a disturbing trend – the closer we move to Multnomah county, the greater the likelihood for our Native children to be removed from our homes and taken into foster care. The pattern shows that across the USA, a total of 6 children per thousand are in foster care. In Oregon this number rises to 13. In Multnomah county, it escalates even higher to 15. Look below, however, for more troubling trends when we disaggregate these data by race.

Children in Foster Care	Number of children per 1,000 population
<b>USA - all</b>	6
White	5
Native American	16
<b>Oregon - all</b>	13
White	10
Native American	56
<b>Multnomah County</b>	15
White	9
Native American	218

Source: Author's calculations for Multnomah County from data from Miller et al. (2009); for national data, see Child Welfare League of America (2008).

In every region, the Native American foster care levels are at least three times higher than Whites. But when our lens moves closer to Multnomah county, the pace of deterioration for our Native community worsens. Across Oregon, our rate is more than five times worse, and in Multnomah county, this rate is a startling 24 times worse. These data compel us to demand urgent attention to local practices of disproportionality in the local region.

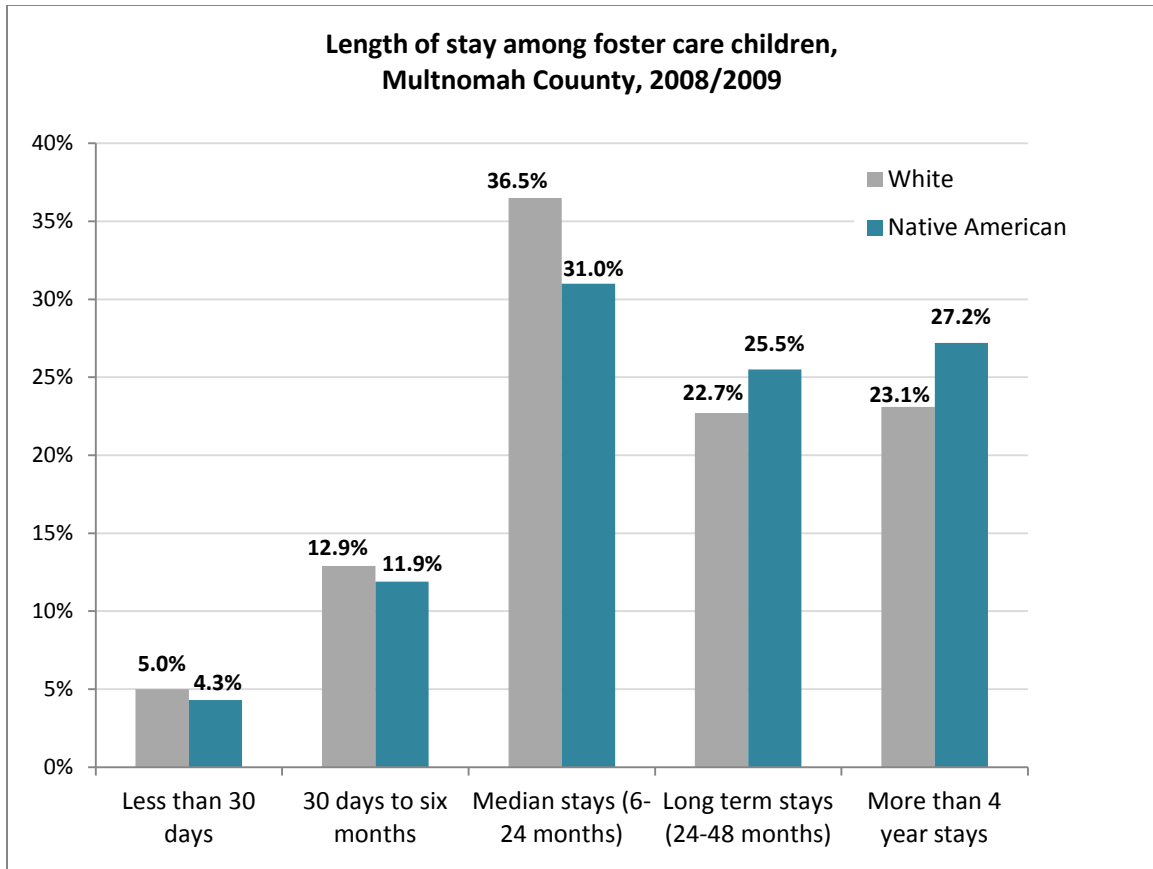
A review of the essential “decision points” in Multnomah county’s child welfare system undertaken in 2008-2009 shows how decisions are made that lead to greater involvement of Native American families with the system. First, this review showed Native American families were reported to the Child Protective Service (CPS) hotline at higher rates than White families – rates nearly four times those of Whites.<sup>162</sup> Over-representation of Native families at this stage of the child welfare continuum is very important, because it determines the “pool” of people who will now potentially enter the child welfare system.

Once a report has been made to the CPS hotline, a worker receiving the call uses set screening criteria to decide whether the report warrants a full assessment/investigation. At this stage, Native American families in Multnomah county were referred for an assessment at similar rates to Whites. At the point on the child welfare continuum where an assessment gets conducted, workers make a decision about whether a reason exists to be concerned for the safety of the children in the home. In Multnomah county, Native American families were more likely than Whites to have founded dispositions, or rulings, that lead to greater involvement with the child welfare system for these families. When children are removed from their homes, they enter foster care. Native American children were in foster care at much higher rates than White children. Stunning is the rate Native American children are in care – a rate 24 times higher than that of Whites.<sup>163</sup> While our deep levels of poverty may lead to some precarious housing situations and sometimes neglect, know that we are no more likely to abuse our children than White families.

Once a child is removed from the home, it is important to see how quickly the child is reunited with family.<sup>164</sup> The length of stay in care illustrates reunification patterns. During the study,<sup>165</sup> Native American children were in long-term foster care (of 2-4 years) at higher rates than White children. A high percentage of Native American children (27.2%) had been in foster care *over 4 years* at the time the sample was drawn. Comparatively, 23.1% of White children had been in foster care over 4 years.<sup>166</sup>

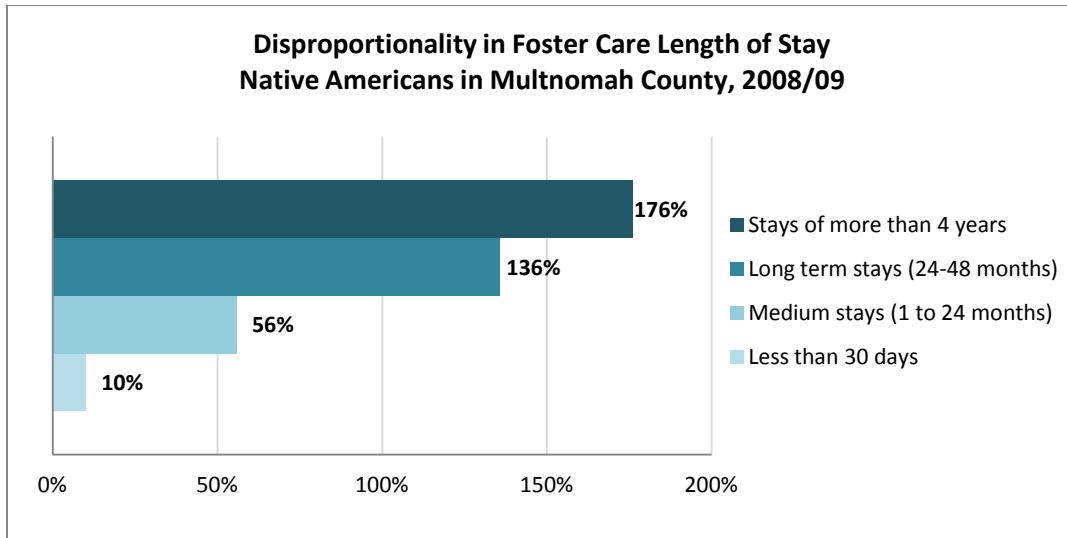
In the chart below, we see the distribution of length of stay for each community. Our children are least likely to be in care for short periods of time and more likely to remain in care for stays beyond 2 years.





Source: Adapted from Miller, Cahn, Bender, Cross-Hemmer, Feyerherm, & White (2009).

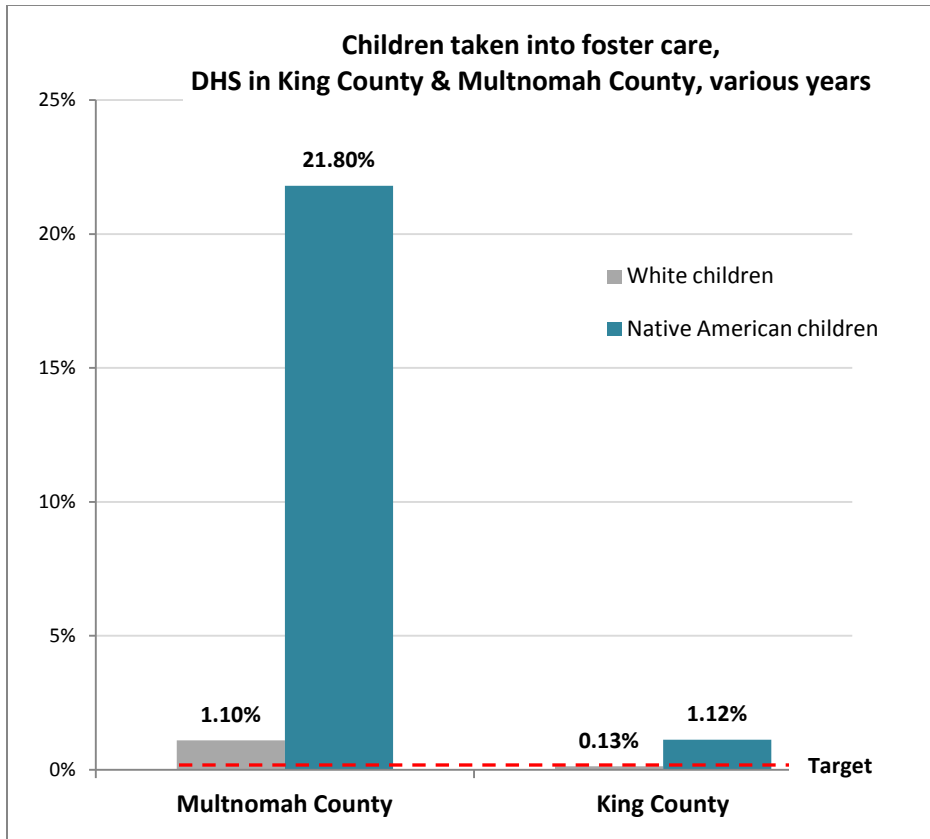
In the graph below, we reproduce the length-of-stay disproportionality data reported in the above text and chart. With the concentration of Whites in foster care at each length of stay taken as the benchmark of one, this chart shows how Native Americans fare in stays of various lengths. This shows that the over-representation of Native American children gets worse with each successively longer length of stay category. The level of disproportionality is highest for stays of more than 4 years, at 176%.



Source: Adapted from Miller, Cahn, Bender, Cross-Hemmer, Feyerherm, & White (2009).

Be it from the scrutiny of Native American families by various service providers, or the biases of White investigators, Native American families are reported to child welfare much more frequently than White families. Then, once investigated, our children are removed from their homes, placed and kept in foster care at rates disproportionate to White families. While some might say that poverty accounts for the difference, or that those in the Native American community abuse, hit, and neglect their children more often, all research to date shows this is not true. The differences exist because of the practices of those who “refer” children to child welfare and the decisions of those involved throughout the system to place children in care and keep them in care.

Comparison data is available with King county. The experiences are starkly different, as locally we take 218 of 1000 Native children into care, while King county takes less than 12 of every 1000 Native children into care. While the experiences shared in this section of the report reveal significant problems with child welfare practices in Multnomah county, the fact that King county has much less disparate practices should catalyze us into immediate action.



Sources: Miller (2008) for King County data and Miller et al (2009) for Multnomah County Data.<sup>167</sup> The years of study differ with King County being 2004 data and Multnomah being 2008 data.

While King county takes in almost ten times as many Native children than it should, the experience of Multnomah county shows we take in almost twenty times as many Native children than we should. Remember again that the research shows that Native parents are no more likely to harm their children than White parents – what differs is how our communities are monitored, referred to child welfare, investigated, and have our children taken from our homes. If equity were to exist here, the low levels of child withdrawal of White children in King county should be the standard available for all of DHS in Multnomah county. If King county can sustain these levels of children to remain at home among families, so too should Multnomah be able to achieve these low levels of 0.13%. We have highlighted this level in the above chart in a red line; every child in excess of these levels should instead be preserved in their own homes.

Resources should be increasingly available to support families as they care for children. Examples include both income and non-income support programs such as expanded TANF, WIC, subsidized housing, child care, stronger employment supports, respite supports, and family preservation services. Given that national data shows that 60% of cases reported to child welfare agencies across the USA are for neglect, with this number rising to 75% for children under three,<sup>168</sup> the deep poverty our families face must give rise to comprehensive poverty reduction strategies.

In summary, child welfare is an institution where many of our families are destroyed. Numerous children pulled from our homes end up outside our community, with lengthy interruptions in family ties and an overly high likelihood to never return. While some protection for vulnerable children is provided, the inequities that exist for our Native children and families places our community at risk – at the hands of decision making practices of those who staff these institutions.

Data is emerging about the risks of being in the foster care system. When comparing children who are involved with child welfare and those who remain in their own families, we find troubling prospects for such youth, ranging from dropping out of school to being homeless, suffering mental illness, or suffering incarceration. And these youth are much more likely to engage with the child welfare system when they have children. Consider the following experiences of those who have “aged out” of foster care at age 18:

- Those previously in foster care will be 68% less likely than the general population to graduate high school
- Special education involvement is three times higher than for non-foster youth
- Twenty-five percent will be homeless at some time
- Of those in the shelter system, more than half were in foster care
- Sixty-two percent will be unemployed within four years of leaving foster care
- When employed, incomes will be 30% less
- Foster children have three to seven times more health, developmental and emotional problems than non-foster youth of similar incomes
- Half of youth who leave foster care have no health insurance compared with 30% among the general youth population
- Twenty-seven percent of males and 10% of females are incarcerated within 18 months of exiting foster care
- One-in-four turn to drug trafficking and 11% to prostitution
- Sixty percent of female foster children become pregnant within 4 years of leaving care and 25% of young men will father a child within 18 months of leaving care
- Among adults involved with housing supports, 77% have at least one child who enters foster care at some time<sup>169</sup>

These are problems that flow from lack of preparation for independence, lack of community connections to support becoming an adult in the world, and the lack of money to survive independently. All end when DHS ceases involvement in our children’s lives. Resources are reserved for younger children and community ties are typically broken the longer children stay in foster care. The result is that our children are isolated, vulnerable and without supports (financial and human) to survive, much less to thrive. We want to ensure that all of our decision makers who influence the path through the DHS system understand that by removing our children, they are increasing our children’s risk for a lifetime of vulnerability. And it is our children of color, and most significantly our Native American children, who suffer the cost.

We can no longer tolerate such inequities. Preventing our children from entering the foster care system must become a top priority.

## Civic Engagement

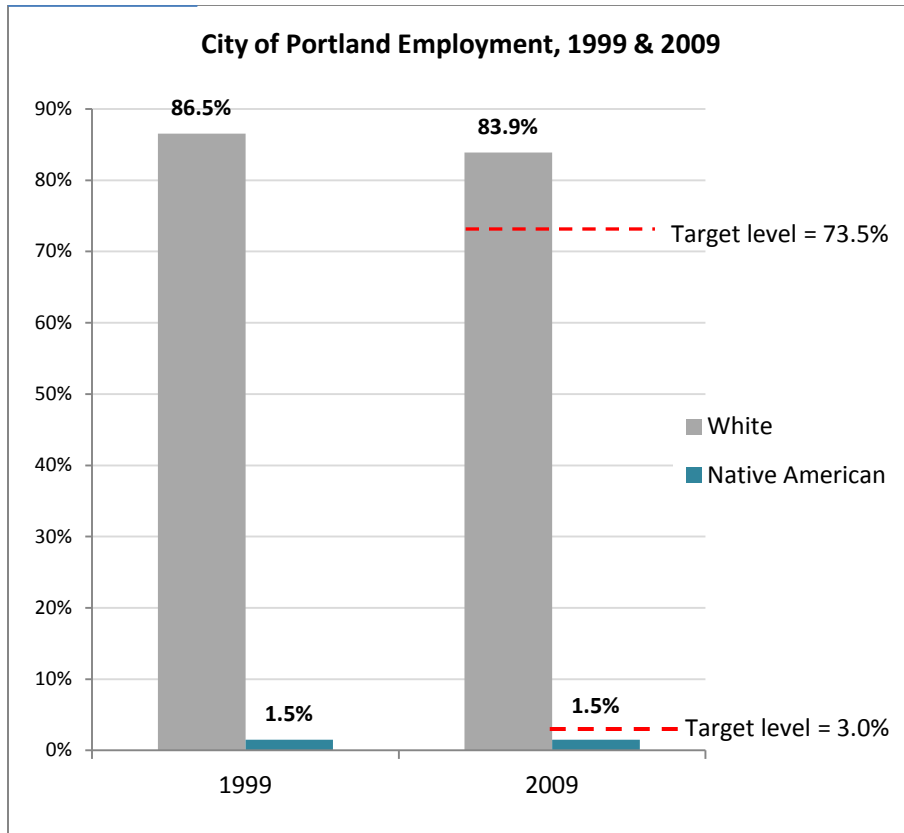
Patterns of civic engagement reveal how well our communities invest in building a society that nurtures us all. The conventional ways for assessing these practices are through surveys on voting registration, voting practices, volunteerism, charitable donations, and participation in public service. The vast majority of these surveys do not report findings in ways that include the Native American population, even at a national level. Advocacy is needed to improve reporting practices.

As a result, materials available for other communities of color do not exist for our community. This data deficiency needs to be remedied.

We believe, however, that voting in our region is higher than elsewhere. Efforts have been robust in the area to register our people to vote; for example, the Portland Youth & Elders Council successfully helped thousands of Native Americans to register in the lead-up to the 2008 federal election. Interest in elections is broad and deep in our community as we recognize and build our influence in the voting booth. There are a number of local practices that contribute to high levels of political engagement. Candidates in the region initiate contact with the Native American community during campaigns. Community members work together to collect ballots. Opportunity for the community to exert influence and to sway elections is a real possibility, and in all likelihood has already occurred.

Our voting participation remains hampered by the absence of our people in elected positions. At the time of writing this report, there is no known elected official in the City of Portland, Multnomah County, Metro, or the Oregon legislature who publicly identifies as Native American. We are pleased to affirm the election of Matt Morton, Squaxin Island Tribe, to the Portland Public Schools Board of Education in 2011.

Civic engagement is also understood through participation in the civil service. Available to us are the employment figures for the City of Portland and for Multnomah County. We will examine each in turn. In the chart below, we can see that despite the fact that the population of Portland had 2.6% Native Americans in 2009, our employment levels in the City stalled at 1.5%.

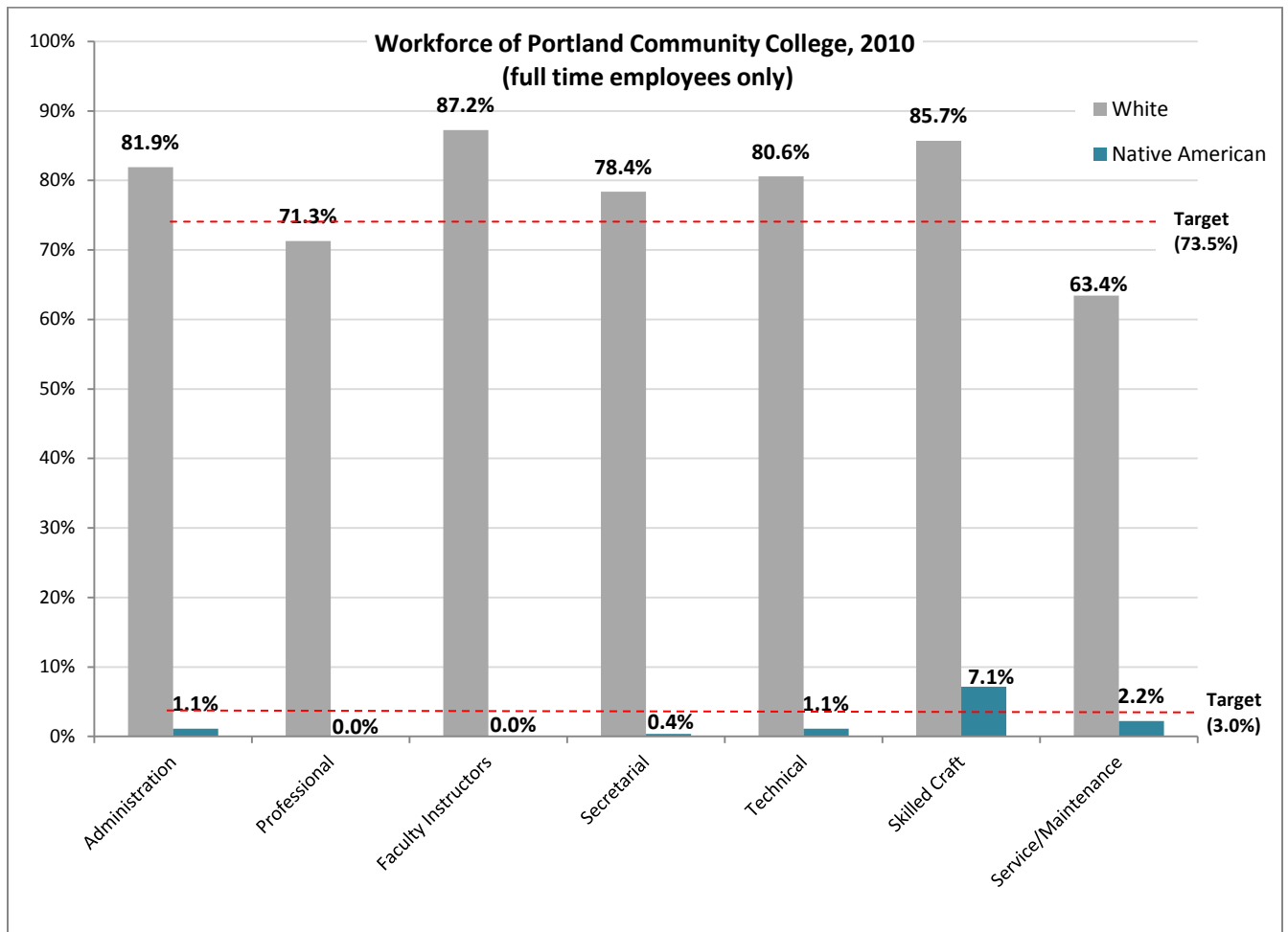


Source: Office of Management and Finance, City of Portland, 2010.

We have used a dashed line to indicate the population levels of those in the city, and aim for our employment figures to reflect the racial composition within the region. Here, we can see that Whites have much more than their “fair share” of such jobs and Native Americans much less. This means that Native American service users and community members do not see themselves reflected appropriately in the City’s workforce. This is problematic – it signals to the community that we matter less in the government, and suggests that these jobs are not important to us. Hidden from view, however, is that these patterns are beyond our control and responsibility; hiring is in the hands of human resource departments and administrators. We aim for equity in hiring and an end to disproportionality that illustrates barriers to our full inclusion in City government.

In Multnomah County, we hold 37 full time jobs in the civil service.<sup>170</sup> This translates to 0.8% of the jobs – a situation considerably worse than the City of Portland. We are 3.0% of the population of the county. This profile illustrates that there are considerable barriers to our equitable hiring and retention within the County government. Particularly intolerable is the fact that there are two departments where we hold none or almost none of the paid positions: The District Attorney’s office (where we hold none of the 207 jobs) and the Sherriff’s office (where we hold only 1 of the 766 jobs).

Turning to the region’s largest community college, Portland Community College, we find a similar pattern of significant failings to ensure that our community has access to the employment positions available within the institution.



Source: Author’s summary of Workforce Analysis Report (2010) from Portland Community College.<sup>171</sup>

Within PCC, we have equitable access to employment in only two of the employment categories. In all of the better paying positions, we face serious barriers to being hired. Even worse is that hiring from within our community was not even given priority within PCC – for we were not deemed to be under-represented in administration, professional, faculty instruction, secretarial or technical employment. In the last year of hiring practices across PCC for full-time employees, only one Native American was hired – and this despite the fact that 116 new employees were hired last year, among a workforce that totals 1471 full-time employees. Notice that not only is there a deep under-hiring among the Native American community, but that this is accompanied with dramatic over-hiring among Whites. White people continue to obtain much more than their fair share of most hiring opportunities at PCC – a pattern that fails to help Native American students and our communities. We are being systematically denied access to these good jobs.

Despite being blocked from equitable hiring within the civil service, we have extended our influence broadly across the nation. We have contributed greatly to the USA and its development. Our knowledge and our worldview are currently serving as a template for the ecological and sustainability movements. So, too, have we built agricultural practices and developed produce that have informed and expanded US agriculture. At the cultural level, our practice of sign language has served as the basis for those in the deaf community (albeit with transformed mechanics and meanings). Our governance structures have been copied by the federal government. It was our Iroquois Nation who provided the intellectual ideas and practices for the division of powers between the central and state governments, which formed the basis for the US system of governance.<sup>172</sup>

When we turn to consider how well we are recognized and validated in current practices, we look first to the practices of institutions such as foundations and philanthropic initiatives in giving back to our community. For this information, we turn to a recent study of grant-making practices in Oregon.<sup>173</sup> Despite communities of color making up 19.7% of the population in Oregon, communities of color are found to have received a total of only 9.6% of grants awarded by foundations.<sup>174</sup> This includes funding made explicitly for communities of color, funding promised to be received by people of color (though research limitations mean we do not know if people of color received promised services), and a proportionate share of funding made to the general population.

We do wonder, however, if the 19.7% target number for people of color in the state should instead be replaced by the portion of our poverty numbers that include people of color. When we do this calculation, we find that communities of color make up 32.3% of Oregon's poor. This is perhaps a better goal for funding allocations as foundations attempt to address human need – we encourage these poverty figures to guide foundation expenditures as they better reflect the needs that exist in the community.

Turning to charitable giving to Native American communities, we find that while we make up 3.3% of Oregon's population, we receive a total of only 0.7% of foundation grants. When we look at our numbers in poverty, we make up 5.5% of the total poverty population, making our funding level much worse.

This is a deplorable level of funding, worsened by lesser visibility and population undercounts. And still, we applaud the fact that studies such as this of Oregon's grant making practices have been conducted. We now have the data to aspire to improved practices in all areas of funding and resources allocated to our community.



## Bright Spots

Awareness of our community, its size, and its history is building. Proudful self-identification is growing among our people as we increasingly take our rightful place in the fabric of the USA. Our community organizations are flourishing, and those in Multnomah county are leading the edge of advocacy and service delivery across the nation. We are home to many Native organizations and advocacy groups and have determined that these organizations bring over \$50 million annually to the region's economy through grants and tax dollars.<sup>175</sup>

There have been significant efforts underway to improve the condition of our people. We affirm efforts to introduce culturally-specific funding into Multnomah County's SUN Service System, and see signs that this is expanding in some efforts in the City of Portland and in the domestic violence services financed by Multnomah County. The efforts to improve outreach efforts during Census 2010 were a significant improvement over Census 2000, and current outreach efforts for the homeless count are also improved.

We also want to recognize the numbers of governmental departments that are beginning to disaggregate their data by race and ethnicity and are inviting dialogue with us to improve research practices. Again, we call out Multnomah County's DHS efforts here – the Visibility Initiative holds promise to generate sufficient information on the status of disparities, assess progress and shortcomings, and to involve us in advising on priorities for improvements. We applaud the work of the Portland Housing Bureau, Oregon's Healthy Kids department, and the Portland Planning Bureau to integrate research practices that will entrench visibility of our community and other communities of color.

In funding improvements, we want to affirm the recent directions taken by the City's Regional Arts and Culture Council, and the Portland Children's Levy. We also affirm the improvements being made within granting practices that show some increased efforts to direct funds to communities of color. Northwest Health Foundation has been a leader in this sector, and Meyer Memorial Trust has recently extended their commitment to resourcing communities of color.

But our needs are mounting at a profound rate. Tied to faltering education, employment and housing systems leave too many poor, broken, and at risk of deteriorating health and well being. The resilience of this community is enormous (having been required to survive colonization and slavery), but ignoring policy action is understood to be a further act of colonization.

## Comparison with King County

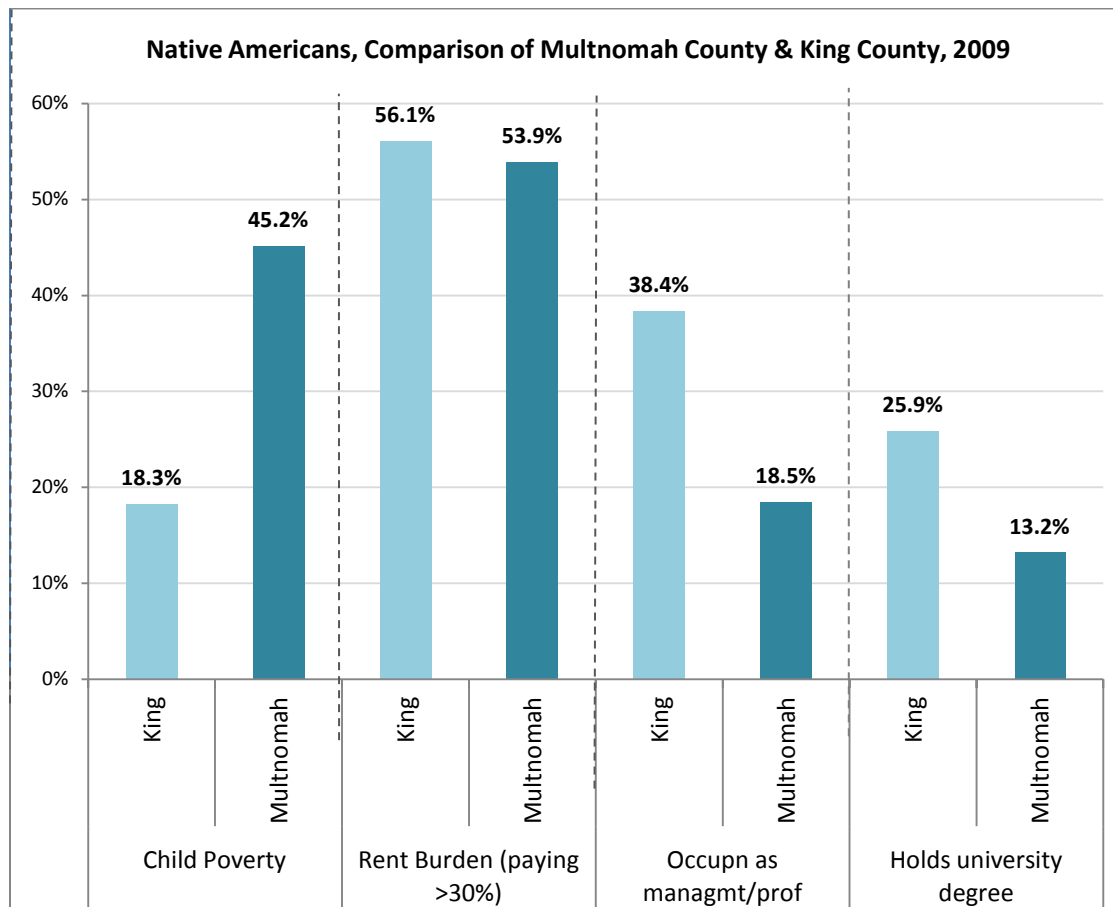
The damaging conditions facing our Native American community, while not unique to Multnomah county, are worse than the neighboring region of King county, home to Seattle. In the chart below, we

can see that in every measure, the conditions facing us are significantly more challenging, with the exception of “rent burden” as Seattle is more deeply challenged by high housing costs.

2009	Child Poverty		Rent Burden (paying 30% or more)		Full time year round median Income		Occupation as management/prof		Hold a university degree	
	Multnomah	King	Multnomah	King	Multnomah	King	Multnomah	King	Multnomah	King
<b>White</b>	14.0%	5.5%	48.9%	43.9%	\$44,262	\$57,822	47.4%	50.9%	41.9%	48.4%
<b>Native American</b>	45.2%	18.3%	53.9%	56.1%	\$28,448	\$44,374	18.5%	38.4%	13.2%	25.9%

Source: Author’s calculations from American Community Survey, 2008.

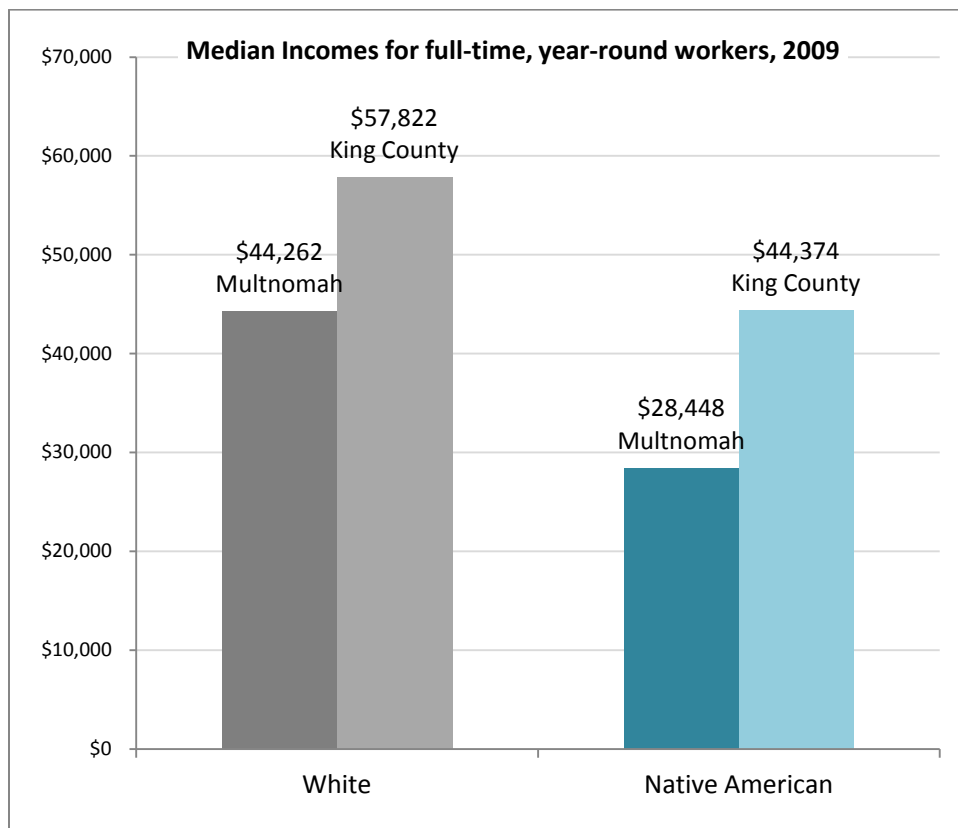
Scanning the magnitude of these variations, one can see that the conditions that might lead to a thriving Native American community do not exist here, yet they exist more strongly less than 170 miles to the north. For a more complete understanding of the differences facing Native Americans in the two different regions, we need to compare the experiences of Native Americans in each item of the chart. For this information, we need to compare the Native American conditions in each county, as shown below.



Source: Author’s calculations from American Community Survey, 2009.

Look closely at the above chart for sometimes a reduction is a good thing (such as being rent burdened), while other times a high figure is positive for the community – such as for holding a university degree. Notice most closely the magnitude of differences between the local and King county experiences, for our Native American community is facing much greater distress locally than in King county.

One feature of this comparison was not included in the above chart – for our income data, look below and observe the details for how Native American incomes plummet in comparison with King county.



Source: Author's calculations from American Community Survey, 2009.

All of the charts in this section reveal a troubling set of experiences for Native Americans in Multnomah county. King county has found a more productive path forwards and created economic and social conditions that have reduced disparities, when compared with Multnomah county.

## Recent Changes in Disparities

The trend in disparities is troubling, with the vast majority of disparities worsening. The table below shows 28 measures for which we had data on disparities for our community in the last two years. Of these 28 measures, only six were improving. Within these six measures, five are the result of a real gain for our community, as the other one is the result of a more rapidly deteriorating condition for Whites, resulting in a drop in disparity level – certainly not the direction of disparity reduction that we seek!

Size of Disparities	2007	2009	Direction of Change from 2007 to 2009
	% worse for Native Americans	% worse for Native Americans	
<b>Occupation</b>			
Management & professional jobs	157%	142%	
Service jobs	21%	90%	
<b>Poverty</b>			
All Individuals	136%	176%	
Child poverty	162%	223%	
Elders (65+)	107%	99%	
Family poverty, kids <18	239%	345%	
Female single parent, kids <18	89%	132%	
Female single parent, kids <5	86%	105%	
<b>Housing</b>			
Rent Burden	13%	-9%	
Mortgage Burden	34%	52%	
Homeownership	23%	62%	
Home value (owners only)	59%	31%	
<b>Education</b>			
Attainment of a university degree	139%	408%	
Drop out rate <sup>a</sup>	127%	131%	
Discipline rate	28%	30%	
High School graduation rate <sup>b</sup>	37%	57%	
Academic test scores - Math <sup>c</sup>	21%	21%	
Academic testing - reading/literature <sup>d</sup>	18%	22%	
<b>Incomes</b>			
Individual	107%	124%	
Family	104%	106%	
Retirement	62%	101%	
Female single parent	109%	138%	
<b>Health</b>			
Health insurance <sup>e</sup>	46%	38%	
<b>Unemployment</b>			
Unemployment rate	29%	41%	
<b>Criminal &amp; Juvenile Justice</b>			
Frequency of juvenile detentions	69%	-3%	
Frequency of youth being criminally charged	103%	210%	
Adult incarceration rate <sup>f</sup>	14%	50%	
<b>Comparison with King County</b>			
Composite of 3 measures	34%	36%	

<sup>1</sup> Please note that these rates are for the prior two years (2009 & 2010)

<sup>2</sup> A drop of more or less than one percentage point is deemed to have remained constant

<sup>3</sup> Data for 2006 and 2009 were used for these two time periods

<sup>4</sup> Data for 2008 and 2009 were used here

<sup>5</sup> Data for 2008 and 2010 were used here



Indicates disparities are improving, but due to the worsening conditions of Whites

To calculate the disparity measure, we returned to the relevant part of this report, and compared the experiences of Whites and Native Americans. Calculations were made in the following manner:

- $$\frac{(\text{frequency of experience for White people}) - (\text{frequency of experience for Native Americans})}{(\text{frequency of experience for Native Americans})}$$

The measure thus reveals a comparison between the experiences of Native people as measured against those for White people, thus showing how much “worse” or “better” the experience is. Values for each year were calculated and the direction of change interpreted and highlighted with the arrows at the far right of the chart.

As we review these data, we need to let the magnitude of the disparities sink into our consciousness. Coupled with the fact that disparities are worsening, we need to firmly reject the idea that there is a “natural” transformation of greater equality growing into existence. There is nothing natural about disparities. Disparities are constructed by the individual and institutional policies and practices that treat people differently based on one’s race. At this point in time, leaving disparities untended is a recipe for disaster for our community.

## Policy Recommendations

Urgency and immediacy are the required responses to the dire situation facing many Native Americans. Inaction is impossible. Failing to act means legitimizing poverty and spiraling distress. Inaction will seal the fate of this community to marginalization, damaging levels of distress and ongoing exclusion from mainstream society. Failing to take action as our research compels will be the 21<sup>st</sup> century’s version of colonization.

The policy recommendations that follow are those which the Coalition of Communities of Color has developed and which we endorse. These measures will advance the needs of our people.

1. **Reduce disparities with firm timelines, policy commitments and resources.** Disparity reduction across systems must occur and must ultimately ensure that one’s racial and ethnic identity ceases to determine one’s life chances. The Coalition urges the State, County and City governments, including school boards, to establish firm timelines with measurable outcomes to assess disparities each and every year. There must be zero-tolerance for racial and ethnic disparities. Accountability structures must be developed and implemented to ensure progress on disparity reduction. As a first step, plans for disparities reduction must be developed in every institution and be developed in partnership with communities of color. Targeted reductions with measurable outcomes must be a central feature of these plans. Elements of such an initiative would include the following outcome:

- Policies to reflect these commitments are needed to ensure accountability exists in legislation.
- Accountability structures must be developed and implemented to ensure progress on disparity reduction. As a first step, plans for disparities reduction must be developed in every institution and be developed in partnership with communities of color. Targeted reductions with measurable outcomes must be a central feature of these plans.
- Disparities must be understood institutionally, ideologically, behaviorally and historically. Institutional racism must be a major feature of disparity reduction work.
- These initiatives must be effectively resourced the control of these initiatives must be placed in the leadership of communities of color who will lead us to real solutions.
- Accountability and transparency must feature across all institutional efforts.
- Annual updates must be conducted; the results must be available to the general public.

**2. Expand funding for culturally-specific services.** Designated funds are required, and these funds must be adequate to address needs. Allocation must recognize the size of communities of color, must compensate for the undercounts that exist in population estimates, and must be sufficiently robust to address the complexity of need that is tied to communities of color. Recognizing the complexity and depth of need that exists for communities of color requires that we are provided with a higher funding base in recognition of the urgent need for ameliorative interventions. Culturally-specific services are the most appropriate service delivery method for our people. Service providers within culturally-specific services must be involved in establishing funding formulas for such designations.

Culturally-specific services are best able to address the needs of communities of color. These services have the following unique features:

- *We provide respite from racism. People of color enter culturally-specific services as insiders instead of outsiders.*
- We hold the trust of our communities. Mainstream services do not, and relationships are instead marked by distrust. This supports our ability to respond to community needs and to work in solidarity with them to address larger injustices.
- Accountability to the specific community of color for whom services are delivered exists.
- Top leadership (Board of Directors or equivalent) is primarily composed of community members who share the same racial and ethnic identity. This means they have a lived experience of racism and discrimination and will address these at all levels of practice.
- Services are located in the specific community of color that is being served and reflect the cultural values of the community. Users of such services are likely to be welcomed and affirmed.

- They are staffed and led primarily by those who share the racial and ethnic characteristics of the community. This means we have walked a similar path as those we serve and have experienced the types of racism typically targeted against the community. This provides deep and lasting commitments to eliminating racism in all its forms.
- Such services are typically involved in many advocacy practices, and are involved in challenging institutional racism in its many forms. Given this engagement, service users are more likely to have their needs better understood and are more hopeful about prospects for change. As their organizations are involved in social justice efforts, this increases the social capital of the community and its members.

**3. *Implement needs-based funding for communities of color.*** This report illuminates the complexity of needs facing communities of color and highlights that Whites do not face such issues or the disparities that result from them. Accordingly, providing services for these communities is similarly more complex. We urge funding bodies to begin implementing an equity-based funding allocation that seeks to ameliorate some of the challenges that exist in resourcing these communities.

**4. *Emphasize poverty reduction strategies.*** Poverty reduction must be an integral element of meeting the needs of communities of color. A dialogue is needed immediately to kick-start economic development efforts that hold the needs of communities of color high in policy implementation. Improving the quality and quantity of jobs that are available to people of color will reduce poverty.

Current economic development initiatives and urban renewal activities do not address equity, poverty or unemployment concerns among communities of color. Protected initiatives to support access of minority-owned businesses to contracting dollars, along with small business development initiatives, must ensure equitable distribution of resources and the public benefits that flow from such investments.

**5. *Count communities of color.*** Immediately, we demand that funding bodies universally use the most current data available and use the “alone or in combination with other races, with or without Hispanics” option as the official measure of the size of our communities. The minor over-counting that this creates is more than offset by the pervasive undercounting that exists when outsiders measure the size of our communities. When “community-verified population counts” are available, we demand that these be used.

**6. *Prioritize education and early childhood services.*** The Coalition prioritizes education and early childhood services as a significant pathway out of poverty and social exclusion, and urges that



disparities in achievement, dropout rates, post-secondary education and even early education be prioritized.

Significant reductions in dropout rates of youth of color, improvements in graduation rates, increased access to early childhood education (with correlated reductions on disparities that exist by the time children enter kindergarten) and participation in post-secondary education and training programs is essential for the success of our youth.

- 7. *Expand the role for the Coalition of Communities of Color.*** The Coalition of Communities of Color seeks an ongoing role in monitoring the outcomes of disparity reduction efforts and seeks appropriate funding to facilitate this task. Disparity reduction efforts will include the following:
- Establishing an external accountability structure that serves an auditing function to keep local and state governments accountable. This leaves the work less vulnerable to changes in leadership.
  - Creating annual reports on the status of inequities on numerous measures, similar to the disparity tally included in this document.
  - Continuing to work with mainstream groups to advise on changes in data collection, research and policy practices to reduce disparities, undercounting and the invisibility of communities of color.

- 8. *Research practices that make the invisible visible.*** Implement research practices across institutions that are transparent, easily accessible and accurate in the representation of communities of color. Draw from the expertise within the Coalition of Communities of Color to conceptualize such practices. This will result in the immediate reversal of invisibility and tokenistic understanding of the issues facing communities of color. Such practices will expand the visibility of communities of color.

Better data collection practices on the race and ethnicity for service users needs to exist. Self-identification is essential, with service providers helping affirm a prideful identification of one's race and ethnicity as well as assurances that no harm will come from identifying as a person of color. We also want people to be able to identify more than one race or ethnicity; we can do this by allowing multiple identifiers to be used. The "multiracial" category is not helpful because no information about one's identity is possible. The Coalition of Communities of Color then wants research practices and usage statistics to accurately and routinely reveal variances and disproportionality by race and ethnicity. The Coalition will consult with researchers and administrators as needed on such improvements.

- 9. *Fund community development.*** Significantly expand community development funding for communities of color. Build line items into state, county, and city budgets for communities of color to self-organize, network our communities, develop pathways to greater social inclusion,

build culturally-specific social capital, and provide leadership within and outside our own communities.

**10. Disclose race and ethnicity data for mainstream service providers.** Mainstream service providers and government providers continue to have the largest role in service delivery. Accounting for the outcomes of these services for communities of color is essential. We expect each level of service provision to increasingly report on both service usage and service outcomes for communities of color.

Data collection tools must routinely ask service users to identify their race and ethnicity, and allow for multiple designations to be specified. These data must then be disclosed in an open and transparent manner. The Coalition of Communities of Color expects to be involved in the design of these data collection tools. Outcomes by race and ethnicity need to be publicly available on an annual basis.

**11. Name racism.** Before us are both the challenge and the opportunity to become engaged with issues of race, racism and whiteness. Racial experiences are a feature of daily life whether we are on the harmful end of such experience or on the beneficiary end of the spectrum. The first step is to stop pretending race and racism do not exist. The second is to know that race is always linked to experience. The third is to know that racial identity is strongly linked to experiences of marginalization, discrimination, and powerlessness. We seek for those in the White community to aim to end a prideful perception that Multnomah county is an enclave of progressivity. Communities of color face tremendous inequities and a significant narrowing of opportunity and advantage. This must become unacceptable for everyone.

The legacy of our past stretches into today, deepened and confounded by ongoing structural and cultural inequities. While we would like to believe that racism is a matter only of history, the evidence before us shows that it is not. Racist practices of the past have decimated our community, our culture and our well being, and they continue today. Indeed, the depths to which mainstream society in Oregon has gone to in denial and minimization of racism are likely the cause of the trend that as we move closer to the urban Native American experience in this county, the worse our disparities are.

## **Appendix #1: Multnomah County's Philosophy and Implementation of Culturally-Specific Services**

### **Philosophy of Culturally Specific Service Delivery**

Multnomah County believes that funding should follow the client and not the other way around. In the business world, this is known as “customer choice.” Over years of service delivery to communities of color it has been made clear that consumer choice for people of color and ethnic communities is based on three dimensions: comfort, confidence, and trust. These dimensions are strongest in an environment where the organizations and/or institutions providing the services reflect the values, histories and cultures of those being served. Agencies which hire one or two culturally specific staff members do not provide an environment where comfort, confidence and trust are maximized for clients. Communities of color are characterized by significant language and cultural differences from the majority culture of the United States. One of these characteristics is a personal or relational way of interacting with service providers, rather than an impersonal bureaucratic way of interacting with service providers, which is more common in mainstream culture. This fact makes it important that the overall “feel” of an organization be familiar and comfortable to the client receiving services. While the specifics of these characteristics vary in the African American, Latino, Asian/Pacific Islander, Native American, Slavic and the many African and Refugee cultures in Multnomah county, all of these communities share the need for a culturally specific style of personal interaction, language, and organizational culture.

Indeed, in our experience not only do members of the various communities of color prefer to seek services from culturally-specific providers, but there are many issues that clients may not have the trust to openly discuss and confront outside a culturally-specific context. Some of these issues include but are not limited to domestic violence, drug and alcohol addiction, gang involvement, financial hardships, youth sexuality, and family and relationship problems. Thus, culturally-specific services are not only the preferred service provider for many people of color and immigrants, in many cases they may be the only provider in which individuals and families will feel comfortable asking for and receiving appropriate services.

### **Values Statement**

Multnomah County values and celebrates the rich diversity of our community. Through diversity comes a sense of community. Community provides a wealth of experience and different perspectives that enriches everyone's life. Communities in Multnomah County have a long tradition of supporting each other through families, churches and community organizations. Cultural minorities are more likely to engage individuals and organizations that are intimately knowledgeable of the issues of poverty and minority disproportionality facing the community today, and further, whose services are culturally specific, accessible and provided with compassion. Therefore, we are committed to providing a continuum of culturally specific services including prevention, intervention and anti-poverty services throughout Multnomah County that ensures the welfare, stability and growth of children and families

who are part of at-risk, minority populations. By so doing, these individuals will be able to contribute and participate in the civic life of our county.

### **Criteria for Culturally Specific Service Providers**

The following section identifies specific criteria that Multnomah uses to identify and designate organizations which have developed the capacity to provide culturally specific services. The following criteria should be used in Request for Proposals, contracting, and other funding processes to determine the appropriateness and eligibility of specific organizations to receive culturally specific funding. Both geographic hubs and culturally specific service organizations should be required to meet these criteria in order to receive funding from the resources that are dedicated to culturally specific service provision. These agency characteristics are expected to be in place at the time the organization applies for culturally specific services and not be characteristics or capacities that the agency proposes to develop over a period of time after contracts are signed. The criteria include:

- Majority of agency clients served are from a particular community of color: African American, Asian/Pacific Islander, Native American, Latino, African and Refugee, and Slavic.
- Organizational environment is culturally focused and identified as such by clients.
- Prevalence of bilingual and/or bicultural staff reflects the community that is proposed to be served.
- Established and successful community engagement and involvement with the community being served.

### **Contracting Implementation:**

Steps will be taken throughout all phases of the Request for Proposals process to ensure that Multnomah County contracts are given to organizations that have the capacity to provide the best culturally specific services. Those steps include, but are not limited to, the following:

- Refer to the definition of culturally specific service providers when reviewing funding applications.
- Create and implement an effective process to validate the accuracy of an organization's claim that they're a culturally specific service provider using the aforementioned definition and eliminate applications that do not meet the criteria.
- Include a requirement to submit past performance documentation regarding County contracts to ensure contracting with the most qualified providers and to achieve the highest quality of service delivery.
- Verify with partnering organization(s) that the relationship(s) referred to in an application exist and that the scope of work is targeted toward the work Multnomah County is supporting.
- Include representation from the communities that are proposed to be served on committee and review panels for their respective communities.

## Appendix #2: Language Definitions<sup>176</sup>

**Ally:** “A member of an oppressor group who works to end a form of oppression which gives her or him privilege. For example, a white person who works to end racism, or a man who works to end sexism” (Bishop, 1994, p. 126).

**Anti-Oppressive Practice:** A person-centered philosophy; and egalitarian value system concerned with reducing the deleterious effects of structural inequalities upon people’s lives; a methodology focusing on both process and outcome; and a way of structuring relationships between individuals that aims to empower users by reducing the negative effects of social hierarchies on their interaction and the work they do together. (Dominelli, 1994, p.3)

**Communities of Color:** Four communities are traditional recognized as being of color – Native American, African American, Asian and Latino. To these four groups, the Coalition of Communities of Color also recognizes and includes two communities: Slavic and African immigrant and refugee. Note that there have been some tensions about whether Latinos are a racial or an ethnic group, but that such tensions have not arisen in Multnomah county. Most databases define them as a separate ethnic group, as opposed to a racial group. In Multnomah county, we define Latinos as a community of color and primarily understand the Latino experience as one significantly influenced by racism. We include the Slavic community as a community of color as their experiences are similar to those of other communities of color, and include marginalization, powerlessness, and dominant discourses that prevent their fair treatment and inclusion. Such communities are similar to the experiences of the Irish, Polish and Jewish communities in the USA – communities at one time were clearly minority racialized but that have, in sociological frames, become White. It remains to be seen as to whether or not the Slavic community will attain whiteness over their time in the USA.

**Cultural Competence:** A set of congruent behaviors, attitudes, and policies that come together in a system, agency, or professional and enable that system, agency, or profession to work effectively in cross-cultural situations. The goal is to build skills and cultures that support the ability to interact effectively across identities. The word **culture** is used because it implies the integrated pattern of human behavior that includes thoughts, communications, actions, customs, beliefs, values and institutions of a racial, ethnic, religious or social group. The word **competence** is used because it implies having the capacity to function effectively. Five essential elements contribute to a system, institution or agency's ability to become more culturally competent: valuing diversity; having the capacity for cultural self-assessment; being conscious of the dynamics inherent when cultures interact; having institutionalized cultural knowledge, and; having developed adaptations to service delivery and reflecting an understanding of cultural diversity (Cross, Bazron, Dennis & Isaacs, 1989)

A significant critique is emerging about the capacity of “cultural competency” to address racial disparities. The basis of this critique is that it idealizes the ability of mainstream service providers to

work outside their own cultural context and provide services to communities of color. As a response to racial disparities, cultural competency fails to generate the comprehensive reforms needed to promote racial equity. So too this “movement” fails to legitimate the urgent needs of communities of color and the requisite funding of culturally-specific organizations.

**Cultural proficiency:** See “cultural competence.”

**Discourse:** “A set of assumptions, socially shared and often unconscious, reflected in the language that positions people who speak within them and frames knowledge” (Ristock & Pennell, 1996, p.114).

**Discrimination:** “The prejudgment and negative treatment of people based on identifiable characteristics such as race, gender, religion, or ethnicity” (Barker, 1995, p.103).

**Disparities:** Differences between population groups in the presence of any form of incidence or outcomes, including access to services. Disparities include both acceptable and unacceptable differences. (Information adapted from Multnomah County Health Department, Health Equity Initiative)

**Diversity:** “Diversity refers to the broad range of human experience, emphasizing the following identities or group memberships: race, class, ethnicity, national origin, color, sex, sexual orientation, gender identity or expression, age, marital status, political belief, religion, mental or physical disability, immigration status, language and linguistics.” (Portland State University, 2009)

**Dominant Discourse:** Refers to the prevailing discourses that typically consolidate a set of myths about particular groups of people and then reproduce these myths through language, images, and generalized beliefs about who such people are and what they are capable of. These discourses are created by those with privileged identities and serve the function of maintaining oppressive systems such as racism, thus becoming an act of oppression themselves. When these characterizations are reproduced widely, they become the accepted way of speaking about and understanding particular groups of people. An example is the dominant discourse around “Black” and all this implies and the corollary of “White” and all this implies.

**Ethnicity:** Refers to arbitrary classifications of human populations based on the shared common ancestry, including features such as nationality, language, cultural heritage, and religion.

**Exploitation:** “When a person or people control another person or people, they can make use of the controlled people’s assets, such as resources, labor, and reproductive ability, for their own purposes. The exploiters are those who benefit, and the exploited are those who lose” (Bishop, 1994, p.129-130).

**Indian:** This term has been used colloquially to refer to American Indians and/or Native Americans. While we recognize that this term more accurately refers to those with heritage in the country of India, its colloquial use in the USA has appeared in many of the reference documents used in this report. We

prefer, however, the term “Native Americans” to reference those of indigenous heritage who live in the USA.

**Individual Racism:** “The beliefs, attitudes, and actions of individuals that support or perpetuate racism. Individual racism can occur at both an unconscious and conscious level, and can be both active and passive” (Wijeyesinghe, Griffin & Lowe, 1997, p.89).

**Inequities:** Are disparities that result from a variety of social factors such as income inequality, economic forces, educational quality, environmental conditions, individual behavior choices, and access to services. Health inequities are unfair and avoidable. (Adapted from Multnomah County Health Department, Health Equity Initiative).

**Institutional Racism:**

- “The network of institutional structures, policies, and practices that create advantages and benefits for Whites, and discrimination, oppression, and disadvantage for people from targeted racial groups. The advantages to Whites are often invisible to them, or are considered “rights” available to everyone as opposed to “privileges” awarded to only some individuals and groups” (Wijeyesinghe, Griffin & Lowe, 1997, p.93).
- Institutional racism consists of those established laws, customs and practices which systematically reflect and produce racial inequalities... whether or not the individuals maintaining those practices have racist intentions (Jones, 1972, p.131).
- Institutional racism is understood to exist based on the experiences of people of color, rather than intention to create inequities. One does not need to “prove” intent to discriminate in order for institutional racism to exist. Institutional racism exists by impact rather than intention.

**Internalized Dominance:** Occurs “when members of the agent group accept their group’s socially superior status as normal and deserved” (Griffin, 1997, p.76).

**Internalized Oppression:** Occurs “when members of the target group have adopted the agent group’s ideology and accept their subordinate group status as deserved, natural, and inevitable” (Griffin, 1997, p.76). Furthermore, “oppressed people usually come to believe the negative things that are said about them and even act them out” (Bishop, 1994, p.131).

**Mainstream Services:** These are large service organizations that are largely devoid of specific services for communities of color, or have minimal or tokenistic responses to the specific needs of these communities. They operate from the presumption that service needs are independent from racial and cultural needs, and that staff can be trained in “cultural sensitivity” or “cultural competence” to ensure delivery of quality services regardless of clients’ race and ethnicity.

**Marginalized/Margins:** “Groups that have a history of oppression and exploitation are pushed further and further from the centres of power that control the shape and destiny of the society. These are the margins of society, and this is the process of marginalization” (Bishop, 1994, p.133).

**Native American:** A member of any of the indigenous peoples of the Western Hemisphere currently living in the USA. This includes those of Alaskan indigenous heritage, typically referred to as “Alaskan Native.” The term is synonymous with “American Indian.”

**Power:** “A relational force, not a fixed entity, that operates in all interactions. While it can be oppressive, power can also be enabling” (Ristock & Pennell, 1996, p.116).

**Prejudice:** “An opinion about an individual, group, or phenomenon that is developed without proof or systematic evidence. This prejudgment may be favorable but is more often unfavorable and may become institutionalized in the form of a society’s laws or customs” (Barker, 1995, p.290).

**Privilege:** “Privilege exists when one group has something of value that is denied to others simply because of the groups they belong to, rather than because of anything they’ve done or failed to do. Access to privilege doesn’t determine one’s outcomes, but it is definitely an asset that makes it more likely that whatever talent, ability, and aspirations a person with privilege has will result in something positive for them.” (Peggy McIntosh)

**Racialized:** “Process by which racial categories are constructed as different and unequal in ways that have social, economic and political consequences” (Galabuzi, 2006, p.251).

**Racism:** “A system in which one group of people exercises power over another or others on the basis of social constructed categories based on distinctions of physical attributes such as skin color” (Galabuzi, 2006, p.252).

**Relative Rate Index (RRI):** A methodology for measuring rate differences between groups to estimate disparity of a phenomenon. It involves calculating the occurrence rate of a reference and a second group and comparing the resulting ratio to 1. For a more in-depth discussion of RRI and methods for calculating, see: U.S. Department of Justice (2006). *Disproportionate Minority Contact Technical Assistance Manual, 3<sup>rd</sup> Edition*. Washington D.C.: Office of Juvenile Justice and Delinquency Prevention.

**Social Justice:** “Social justice is both a process and a goal that (1) seeks equitable (re)distribution of resources, opportunities and responsibilities; (2) challenges the roots of oppression and injustice; (3) empowers all people to enhance self-determination and realize their full potential; (4) and builds social solidarity and community capacity for collaborative action.” (Portland State University, 2009)

**Stereotype:** “An undifferentiated, simplistic attribution that involves a judgment of habits, traits, abilities, or expectations and is assigned as a characteristic to all members of a group regardless of



individual variation and with no attention to the relation between the attributions and the social contexts in which they have arisen” (Weinstein & Mellen, 1997, p.175).

**Systemic Racism:** “Refers to social processes that tolerate, reproduce and perpetuate judgments about racial categories that produce racial inequality in access to life opportunities and treatment” (Galabuzi, 2006, p.253).

**Tokenism:** “A dominant group sometimes promotes a few members of an oppressed group to high positions, and then uses them to claim there are no barriers preventing any member of that group from reaching a position with power and status. The people promoted are tokens, and the process is called tokenism. Tokens can also be used as a buffer between the dominant and oppressed groups. It is harder for the oppressed group to name the oppression and make demands when members of their own groups are representing the dominant group” (Bishop, 1994, p.136).

**White:** Refers to the racial identity of Caucasian, regardless of ancestry or ethnicity. While conventional definitions of being White can include being Latino as well, we exclude such a definition from this text. In our situation, being White means having the racial identity as Caucasian, without being Latino.

**Whiteness:** Whiteness refers to the social construction of being White that coexists with privilege in all its forms, including being on the privileged end of history, including colonization, slavery, colonialism, and imperialism. It also includes being the beneficiaries of institutionalized and systemic racism, dominant discourses, internalized racism and individual acts of discrimination and micro-aggressions of racism in everyday life.

**White Privilege:** “White privilege is the other side of racism. Unless we name it, we are in danger of wallowing in guilt or moral outrage with no idea of how to move beyond them. It is often easier to deplore racism and its effects than to take responsibility for the privileges some of us receive as a result of it...Once we understand how white privilege operates, we can begin addressing it on an individual and institutional basis” (Paula Rothenberg, 2008, p.1).

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- <sup>68</sup> Oregon Progress Board. (2008). *Oregon benchmark race & ethnicity report: A report on the progress of Oregon's racial and ethnic diverse populations*. Retrieved December 22, 2008 from the State of Oregon's website: <http://www.oregon.gov/DAS/OPB/docs/Reports/REreport2008.pdf>.
- <sup>69</sup> Law, S. (2011, August 18). Blacks fall behind in home buying. *Portland Tribune*.
- <sup>70</sup> Anderson, T., Kuhn, S. & Sack, B. (2004). *Strategies to improve minority homeownership rates*. Portland, OR: Housing and Community Development Corporation, City of Portland.
- <sup>71</sup> Anderson, T., Kuhn, S. & Sack, B. (2004).
- <sup>72</sup> The Homeless Count now includes the homeless street count and the one-night shelter count. It is conducted every two years and is a count of those in shelters, on the street, in motels and transitional housing. The homeless count measures the numbers of people who find nighttime shelter in locations not fit for human habitation such as living in vehicles, under bridges, in abandoned properties, laundromats and in alleys.
- <sup>73</sup> Smock, K. (2009). *Report on the 2009 Portland/Multnomah County Street Count of Unsheltered Persons*. Downloaded on January 22, 2011 from <http://efiles.ci.portland.or.us/webdrawer/rec/3759647/view/2009%20Portland%20OR%20Street%20Count%20Report.PDF>.
- Smock, K. (2011). 2011 *Point in time: Count of homelessness in Portland/Multnomah County, Oregon*. Downloaded on August 19, 2011 from [http://efiles.ci.portland.or.us/webdrawer/rec/4319303/view/2011\\_Point-in-Time\\_Homelessness\\_Multnomah-County.PDF](http://efiles.ci.portland.or.us/webdrawer/rec/4319303/view/2011_Point-in-Time_Homelessness_Multnomah-County.PDF).
- <sup>74</sup> Nielson, J. (2005).
- <sup>75</sup> Institute on Aging, Portland State University (2009). Older adult needs assessment conducted for the Multnomah County Aging & Disability Services Division.
- <sup>76</sup> Nielson, J. (2005).
- <sup>77</sup> As calculated from American Community Survey, drawing from poverty numbers for both the whole population and for the Native American community – and determining the numbers of poor in Oregon as 517,934, and poor Native Americans as 32,130 – making Native Americans to be 6.2% of the poor population in Oregon.
- <sup>78</sup> Data used for this chart includes several approximations. The poverty rates draw from the Multnomah county under 5 population (rather than the rate for 3 & 4 year olds in Portland). The “target access rates” use these poverty rates and apply them to the PPS Head Start system – which introduces an undetermined margin of error, but the chart is still illustrative of the overall trends as poverty levels in the city and county are roughly equivalent for this community. In addition, the dates of the poverty rates and target access rates are based on 2009 data, while the access rate is based on 2010/11 service use data.
- <sup>79</sup> We used the “Easy access to juvenile populations” website (by OJJDP) to determine the size of the child population in Multnomah county who are 3 & 4 years old. We then portioned this to the City of Portland based on the percentage of the White and the Native populations that are in each region, and estimated the size of the 3 & 4 year old population in the City of Portland. Furthermore, we used the percentage of the “under 5 population” living in poverty to calculate the eligibility numbers for the program. These data were drawn from the American Community Survey, 2009. The numbers in the Head Start program were provided by Portland Public Schools (2011). *Annual Report, 2010/2011: Portland Public Schools/Head Start Program*. Downloaded on April 3, 2011 from [http://www.pps.k12.or.us/files/head-start/Annual\\_Report\\_10-11\\_3-14-11.pdf](http://www.pps.k12.or.us/files/head-start/Annual_Report_10-11_3-14-11.pdf).
- <sup>80</sup> Losen, D. & Skiba, R. (2010). *Suspended education: Urban middle schools in crisis*. Montgomery, AL: Southern Poverty Law Center.
- <sup>81</sup> Losen, D. & Skiba, R. (2010). *Suspended education: Urban middle schools in crisis*. Montgomery, AL: Southern Poverty Law Center.
- <sup>82</sup> Fight Crime: Invest in Kids (2009) as cited in Losen & Skiba (2010).
- <sup>83</sup> Losen, D. & Skiba, R. (2010). *Suspended education: Urban middle schools in crisis*. Montgomery, AL: Southern Poverty Law Center.

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- <sup>84</sup> Skiba, R., Michael, R. & Nardo, A. (2000). *The color of discipline: Sources of racial and gender disproportionality in school punishment*. Bloomington, IN: Indiana Educational Policy Center.
- <sup>85</sup> Wu, S., Pink, W., Crain, R., & Moles, O. (1982). Student suspension: A critical reappraisal. *The Urban Review*, 14, 245-303.
- <sup>86</sup> Nicholson-Crotty, S., Birchmeier, Z. & Valentine, D. (2009). Exploring the impact of school discipline on racial disproportion in the juvenile justice system. *Social Science Quarterly*, 90(4), 1003-1018.
- <sup>87</sup> Oregon Department of Education (2011). *Oregon statewide report card, 2009-2010*. Salem, OR: Oregon Department of Education.
- <sup>88</sup> Office of Strategic Planning and Programs (2006). Where have Oregon's graduates gone? Survey of the Oregon high school graduating class of 2005. Eugene, OR: Oregon University System.
- <sup>89</sup> These data include students who both graduate and continue with their studies – meaning that we have not omitted students who are taking longer to complete their degree. The numbers do not include students who transfer within OUS after their initial enrollment, meaning that the institutions have not had their numbers “penalized” by those students who move to a different institution.
- <sup>90</sup> NAYA Family Center (2011). *2009-10 Annual Report*. Portland, OR: Author.
- <sup>91</sup> Health Rights Organizing Project (2009). *An American debt unpaid: Stories of Native health*. Portland, OR: Northwest Federation of Community Organizations.
- <sup>92</sup> Raphael, D. & Curry-Stevens, A. (2004). Toronto Charter outlines future health policy directions for Canada and elsewhere. *Health Promotion International*, 19(2), 269-273.
- <sup>93</sup> Rights Organizing Project (2009). *An American debt unpaid: Stories of Native health*. Portland, OR: Northwest Federation of Community Organizations.
- <sup>94</sup> Rights Organizing Project (2009). *An American debt unpaid: Stories of Native health*. Portland, OR: Northwest Federation of Community Organizations (pages 18 & 19).
- <sup>95</sup> Bhat, M. & Vance, S. (2008). *Multnomah County Health Department Report Card on Racial and Ethnic Health Disparities*. Retrieved December 27, 2008 from the Multnomah County website: <http://www.co.multnomah.or.us/health/hra/reports/reportcard.pdf>
- <sup>96</sup> Oregon Population Survey, Oregon Health Policy & Research <http://www.oregon.gov/OHPPR/RSCH/index.shtml>. Summary & Reports from <http://www.ohpr.state.or.us/DAS/OHPPR/RSCH/summarytables.shtml>.
- <sup>97</sup> Bhat & Vance. (2008).
- <sup>98</sup> Nielson, J. (2005).
- <sup>99</sup> Nielson, J. (2005).
- <sup>100</sup> Duckart, J. & Johnson, S. (2006). *Racial and Ethnic Health Disparities in Multnomah County: 1990-2004*. Retrieved December 27, 2008 from the Multnomah County website: [http://www.co.multnomah.or.us/health/hra/reports/health\\_disparities\\_2006.pdf](http://www.co.multnomah.or.us/health/hra/reports/health_disparities_2006.pdf)
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- <sup>102</sup> Centers for Disease Control and Prevention (2008).
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- <sup>104</sup> Raphael, D. (Ed.) (2009). *Social determinants of health*. Toronto, ON: Canadian Scholars Press.
- <sup>105</sup> Multnomah County Health Department (2011). *Report card on racial and ethnic health disparities: April 2011*. Portland, OR: Author.
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<sup>108</sup> Drexler, M. (2007). *How racism hurts – literally*. Downloaded on February 16 from [http://www.boston.com/news/globe/ideas/articles/2007/07/15/how\\_racism\\_hurts\\_literally/](http://www.boston.com/news/globe/ideas/articles/2007/07/15/how_racism_hurts_literally/).

<sup>109</sup> Oregon Healthy Teens study, 2007-2008, Multnomah County profile. The reported figure of 558 students experiencing racial harassment was applied to students of color only (2156 in total sample, reduced to 2106 as those who completed this time on the questionnaire).

<sup>110</sup> Northwest Area Foundation (2005). *Urban Indian community ventures: Community based research survey, 2005*. St. Paul, MN: Author.

<sup>111</sup> US Senate Committee on Indian Affairs (2009). *Senate Committee told Indian youth suicide is still urgent, pressing crisis*. Downloaded on March 8, 2010 from [http://indian.senate.gov/public/index.cfm?FuseAction=PressReleases.Detail&PressRelease\\_Id=977af53a-0e74-480e-aba3-bcad725d77ff](http://indian.senate.gov/public/index.cfm?FuseAction=PressReleases.Detail&PressRelease_Id=977af53a-0e74-480e-aba3-bcad725d77ff).

<sup>112</sup> Grim, C. (2007). *Statement of Indian Health Service before the Senate Committee on Indian Affairs*. Downloaded on March 8, 2010 from <http://indian.senate.gov/2005hrsg/050205hrg/grim.pdf>.

<sup>113</sup> Chandler, M. J., Lalonde, C. E., Sokol, B. W., & Hallett, D. (2003). Personal persistence, identity, and suicide: A study of Native and non-Native North American adolescents. *Monographs for the Society for Research in Child Development*, 68(273), No. 2, 1-75 (page 33).

<sup>114</sup> Sullivan, J. (2002). *State will admit sterilization past*. The Oregonian. Downloaded on October 27, 2009 from [www.people1.org/eugenics/eugenics\\_article\\_6.htm](http://www.people1.org/eugenics/eugenics_article_6.htm) (page 8).

<sup>115</sup> Lawrence, J. (2000). The Indian Health Service and the sterilization of Native American women. *The American Indian Quarterly*, 24(3), 400-419.

<sup>116</sup> Lawrence, J. (2000). The Indian Health Service and the sterilization of Native American women. *The American Indian Quarterly*, 24(3), 400-419.

<sup>117</sup> Barnes, Adams & Powell-Griner (2010).

<sup>118</sup> Centers for Disease Control (2008). Alcohol-attributable deaths and years of potential life lost among American Indians and Alaska Natives – United States, 2001—2005. Downloaded on October 19, 2009 from <http://www.cdc.gov/mmwr/preview/mmwrhtml/mm5734a3.htm>.

<sup>119</sup> This draws from: Substance Abuse and Mental Health Services Administration. (2009). *Results from the 2008 National Survey on Drug Use and Health: National findings* (Office of Applied Studies, NSDUH Series H-36, HHS Publication No. SMA 09-4434). Rockville, MD.

<sup>120</sup> Arya, N. & Rolnick, A. (2009). *A tangled web of justice: American Indian and Alaska Native youth in federal, state and tribal justice systems*. Washington, DC: Campaign for Youth and Justice.

<sup>121</sup> Oregon Progress Board, 2008, drawing from Law Enforcement Data System (LEDS) and US Census. Index crimes are the eight crimes the FBI combines to produce its annual crime index. These offenses include willful homicide, forcible rape, robbery, burglary, aggravated assault, larceny over \$50, motor vehicle theft, and arson.

<sup>122</sup> Oregon Progress Board, 2008, drawing from Law Enforcement Data System (LEDS) and US Census. Index crimes are the eight crimes the FBI combines to produce its annual crime index. These offenses include willful homicide, forcible rape, robbery, burglary, aggravated assault, larceny over \$50, motor vehicle theft, and arson.

<sup>123</sup> Oregon Action, Center for Intercultural Organizing, Northwest Constitutional Rights Center, Portland Police Bureau & NW Federation of Community Organizations (2006). *Listening sessions report: A community and police partnership to eliminate racial profiling*. Portland OR. (p.16).

<sup>124</sup> Portland Police Bureau (2009). Portland Police Bureau plan to reduce racial profiling. Downloaded on April 11, 2010 from <http://www.portlandonline.com/police/index.cfm?a=230887&c=29870>.

<sup>125</sup> Oregon Action, Center for Intercultural Organizing, Northwest Constitutional Rights Center, Portland Police Bureau & NW Federation of Community Organizations (2006). *Listening sessions report: A community and police partnership to eliminate racial profiling*. Portland OR. (p.18).

<sup>126</sup> Oregon Department of Corrections (2010). Community population statistics: Community population profile for 2/1/2010. Downloaded June 13, 2010 from [http://www.oregon.gov/DOC/RESRCH/docs/community\\_profile.pdf](http://www.oregon.gov/DOC/RESRCH/docs/community_profile.pdf).

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<sup>127</sup> Author's calculations of data from Oregon Department of Corrections, Inmate population profile for 04/01/2010 retrieved from the Oregon Department of Corrections Research and Statistics website. To determine disproportionality, we used 2008 American Community Survey figures (most recent available) for the adult population (aged 18 or over).

<sup>128</sup> Oregon Department of Corrections (2010). Community population statistics: Community population profiles (selected years). Downloaded June 13, 2010 from [http://www.oregon.gov/DOC/RESRCH/docs/community\\_profile.pdf](http://www.oregon.gov/DOC/RESRCH/docs/community_profile.pdf).

<sup>129</sup> Buchanan, S. (2006). Indian blood: From the beginning, white Americans have brutalized American Indians. Half a millennium later, the hate goes on. *Intelligence Report*, 124.

<sup>130</sup> County-wide hate crime data is not available due to multiple police forces being involved and uneven reporting practices.

<sup>131</sup> Paragraph 13 from Buchanan, S. (2006). Indian blood: From the beginning, white Americans have brutalized American Indians. Half a millennium later, the hate goes on. *Intelligence Report*, 124.

<sup>132</sup> Hawkins, D., Laub, J., Lauritson, J. & Cothorn, L. (2000). Race, ethnicity and serious and violent juvenile offending. *Juvenile Justice Bulletin*. Downloaded on January 2, 2011 from [http://www.ncjrs.gov/html/ojdp/2000\\_6\\_1/contents.html](http://www.ncjrs.gov/html/ojdp/2000_6_1/contents.html).

<sup>133</sup> Morris, M., Arifuku, I., Tillson, R., Garcia, V., et al (2003). *An assessment of disproportionate minority confinement in San Mateo County*. Oakland, CA: National Council on Crime and Delinquency.

<sup>134</sup> Arya, N. & Rolnick, A. (2009). *A tangled web of justice: American Indian and Alaska Native youth in federal, state and tribal justice systems*. Washington, DC: Campaign for Youth and Justice.

<sup>135</sup> This is the result of a one-day FBOP count in 2008 and is cited in: Arya, N. & Rolnick, A. (2009). *A tangled web of justice: American Indian and Alaska Native youth in federal, state and tribal justice systems*. Washington, DC: Campaign for Youth and Justice.

<sup>136</sup> Burgess-Proctor, A., Holtrop, K. & Villarruel, F. (2007). *Youth transferred to adult court: Racial disparities*. Washington, DC: Campaign for Youth Justice.

<sup>137</sup> Burgess-Proctor, A., Holtrop, K. & Villarruel, F. (2007). *Youth transferred to adult court: Racial disparities*. Washington, DC: Campaign for Youth Justice.

<sup>138</sup> Rhyne, C. & Pascual, K. (2009). *Juvenile minority over-representation in Multnomah County's Department of Community Justice: Calendar Year 2008 Youth Data*. Retrieved February 1, 2010 from [http://www.co.multnomah.or.us/dcj/jsd\\_min\\_overrep2009.pdf](http://www.co.multnomah.or.us/dcj/jsd_min_overrep2009.pdf).

<sup>139</sup> Data extracted from p.125 of Snyder, H. & Sickmund, M. (2006). *Juvenile offenders and victims: 2006 national report*. Washington, DC: US Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention Programs. Total number of Native youth in USA provided by Easy Access to Juvenile Populations, 2003. These data are not available for the non-Hispanic White population (as 92% of Hispanics are categorized as Whites), and this data practice means that disproportionality indexes cannot be determined from this national dataset.

<sup>140</sup> Wu, L. & Rhyne, C. (2010). *Juvenile minority over-representation in Multnomah County's Department of Community Justice: Calendar Year 2009 Youth Data*. Retrieved August 19, 2011 from [http://www.co.multnomah.or.us/dcj/jsd\\_min\\_overrep2010.pdf](http://www.co.multnomah.or.us/dcj/jsd_min_overrep2010.pdf).

<sup>141</sup> DCJ has traditionally used two measures to study disproportionate contact of youth of color with the juvenile justice system. These are the Disproportionate Representation Index (DRI) and the Relative Rate Index (RRI) for various decision points. The DRI is a comparison of population size to representation in the justice system. Over-representation results in a value over 1, while under-representation results in a value less than 1. The RRI is a measure of the rate of referrals for youth of color as compared to White youth. The baseline for the RRI is the occurrence of the event: in this case, referral of a White youth to juvenile justice. An RRI above a value of 1 denotes over-representation, a value below 1 under-representation. In its most recent report, only the RRI was used – and we followed this transition.

<sup>142</sup> Curry-Stevens, A. (2007). *When organizations commit to change: Avenues to dismantle disproportionality*. Portland, OR: The Child Welfare Partnership.



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- <sup>143</sup> Wu, L. & Rhyne, C. (2010). *Juvenile minority over-representation in Multnomah County's Department of Community Justice: Calendar Year 2009 Youth Data*. Retrieved August 19, 2011 from [http://www.co.multnomah.or.us/dcj/jsd\\_min\\_overrep2010.pdf](http://www.co.multnomah.or.us/dcj/jsd_min_overrep2010.pdf).
- <sup>144</sup> Rhyne, C., Churchill, E. & Hamblin, L. (2009). *Juvenile Crime Trends and Recidivism Report: October, 2009*. Retrieved February 1, 2010 from: [http://www.co.multnomah.or.us/dcj/jsd\\_juvenile\\_crime\\_trends122309.pdf](http://www.co.multnomah.or.us/dcj/jsd_juvenile_crime_trends122309.pdf)
- <sup>145</sup> Rhyne, C., Churchill, E. & Hamblin, L. (2008). *Juvenile Crime Trends and Recidivism Report: September, 2008*. Retrieved December 27, 2008 from the Multnomah County website: [http://www.co.multnomah.or.us/dcj/jsd\\_juvenile\\_crime\\_trends082808.pdf](http://www.co.multnomah.or.us/dcj/jsd_juvenile_crime_trends082808.pdf)
- <sup>146</sup> Pevar, S.L. (2004). *The rights of Indians and tribes*. New York: New York University Press.
- <sup>147</sup> These are data from a 6-month period between October 1, 2008 and march 31, 2009, and measure children in foster care at any point in these six months. The data is taken from Miller, K., Cahn, K., Bender, R., Cross-Hemmer, A., Feyerherm, B., & White, J. (2009). *What we know about racial disproportionality and disparity in Multnomah County's child welfare system: Decision point analysis quantitative report*. Portland, OR: Portland State University.
- <sup>148</sup> George, L. (1997). Why the need for the Indian Child Welfare Act? *Journal of Multi-Cultural Social Work*, 5( 3-4), 165-175.
- <sup>149</sup> Earle, K. & Cross, A. (2000). *Child abuse and neglect: an examination of American Indian data*. (Portland, Oregon: Casey Family Programs).
- <sup>150</sup> Fanshel, D. (1972). *Far From the Reservation: The Transracial Adoption of American Indian Children*. (Metuchen, NJ: the Scarecrow Press).
- <sup>151</sup> Unger, S. (1977). *The destruction of American Indian families*. New York: Association on American Indian Affairs.
- <sup>152</sup> Unger, S. (1977).
- <sup>153</sup> U.S. Congress (1978). House Committee on Interior and Insular Affairs, Establishing Standards for the placement of Indian Children in foster or adoptive homes, to prevent the breakup of Indian families, and for other purposes, 95th Cong., 2d sess., no. 95-1386, Serial 13201.
- <sup>154</sup> Unger, S. (1977). *The destruction of American Indian families*. New York: Association on American Indian Affairs.
- <sup>155</sup> Unger, S. (1977); U.S. Congress (1978).
- <sup>156</sup> U.S. Congress (1978).
- <sup>157</sup> Horejsi, C., Heavy Runner Craig, B. & Pablo, J. (1992). "Reactions by Native American parents to child protection agencies: Cultural and community factors," *Child Welfare*, 62(4), 329-342.
- <sup>158</sup> Pevar, S.L. (2004). *The rights of Indians and tribes*. New York: New York University Press.
- <sup>159</sup> Miller, K., Cahn, K., Bender, R., Cross-Hemmer, A., Feyerherm, B., & White, J. (2009). *What we know about racial disproportionality and disparity in Multnomah County's child welfare system: Decision point analysis quantitative report*. Portland, OR: Portland State University.
- <sup>160</sup> Author's calculations for Multnomah County from data from Miller, Cahn, Bender, Cross-Hemmer, Feyerherm & White (2009); for national data, see Child Welfare League of America. (2008). CWLA Fact Sheet and Relevant Research. Downloaded from CWLA website on 5/7/10 from [http://ndas.cwla.org/research\\_info/specialtopic1a.asp](http://ndas.cwla.org/research_info/specialtopic1a.asp)
- <sup>161</sup> US Department of Health and Human Services (2009). Adoption and Foster Care Analysis and Reporting System (AFCARS), 2009. Downloaded from [http://www.acf.hhs.gov/programs/cb/stats\\_research/afcars/statistics/entryexit2008.htm](http://www.acf.hhs.gov/programs/cb/stats_research/afcars/statistics/entryexit2008.htm) with state population figures added and rankings recorded by Administration for Children & Families.
- <sup>162</sup> Miller, K., Cahn, K., Bender, R., Cross-Hemmer, A., Feyerherm, B., & White, J. (2009).
- <sup>163</sup> Miller, Cahn, Bender, Cross-Hemmer, Feyerherm, & White (2009).
- <sup>164</sup> While we use the past tense writing in this section (as we are reporting on the findings of a research study conducted on data from 2009), the historic view of how often we remove children has not changed over time. There is no reason to be believe that child welfare practices in Multnomah County have changed since this research was conducted.
- <sup>165</sup> To determine which children in foster care might experience longer lengths of stay in foster care, data from a cohort of children (n=1,966) who were continuously in foster care (did not exit care) during a six-month analysis period was analyzed.

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- <sup>166</sup> Miller, Cahn, Bender, Cross-Hemmer, Feyerherm, & White (2009).
- <sup>167</sup> Miller, Marna. (2008). *Racial disproportionality in Washington State's child welfare system*. Olympia,: Washington State Institute for Public Policy, Document No. 08-06-3901.
- Miller, Cahn, Bender, Cross-Hemmer, Feyerherm, & White (2009).
- <sup>168</sup> The New York Center for Children (2007). Creative solutions to the challenge of chronic child neglect. Downloaded on January 22, 2010 from [http://www.newyorkcenterforchildren.org/conference/summary\\_action\\_points\\_061407.pdf](http://www.newyorkcenterforchildren.org/conference/summary_action_points_061407.pdf).
- <sup>169</sup> Allen, M. (2005). *Teens aging out of foster care in Oregon: A guide to transition planning for caseworkers, judges and advocates*. Portland, OR: Juvenile Rights Project.
- <sup>170</sup> Data on the workforce of Multnomah County is provided by the Office of Diversity, January 2010.
- <sup>171</sup> Office of Affirmative Action and Equity (2010). *Workforce analysis report: October 2010*. Downloaded on August 20, 2011 from <http://www.pcc.edu/about/affirmative-action/documents/2010WFA.pdf>.
- <sup>172</sup> Grinde, D. (1989). Iroquoian political concept and the genesis of American government: Further research and contentions. *Northeast Indian Quarterly*, 6(4), 10-21
- Marcus, R. & Burner, D. (1989). *America firsthand: Readings in American history. Volume 1: From settlement to reconstruction*. New York: St, Martin's Press.
- Hieronimus, R. (1989). *America's secret destiny: Spiritual vision and the founding of a nation*. Rochester, Vt.: Destiny Books.
- <sup>173</sup> Foundation Center (2010). *Grantmaking to communities of color in Oregon*. Washington, DC: Foundation Center.
- <sup>174</sup> Foundation Center (2010). *Grantmaking to communities of color in Oregon*. Washington, DC: Foundation Center. Note that this research is based on a representative sample of foundation grants that exceeded \$25,000, and supplemented this in some areas to grants allocated. The total number of grants reviewed was 6,450.
- <sup>175</sup> Portland Indian Leaders Roundtable. (2007). *Making the invisible visible: Portland's Native American Community*. Portland, OR: Author.
- <sup>176</sup> Many of the terms here were found in Campbell, C. (2003). *Anti-oppressive social work. Promoting equity and social justice*. Downloaded on April 25, 2009 from <http://aosw.socialwork.dal.ca/glossary.html>

Agenda Item No. 4.0

**Consideration of the Minutes for March 15, 2012**

Metro Council Meeting  
Thursday, March 22, 2012  
Metro, Council Chamber

Agenda Item No. 5.1

**Ordinance No. 12-1272**, For the Purpose of Amending Metro  
Code Chapter 5.01 to Repeal Provisions Related to Transfer  
Station Areas.

*Ordinances – Second Reading*

Metro Council Meeting  
Thursday, March 22, 2012  
Metro, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING METRO	)	ORDINANCE NO. 12-1272
CODE CHAPTER 5.01 TO REPEAL	)	
PROVISIONS RELATED TO TRANSFER	)	Introduced by Martha J. Bennett, Chief
STATION SERVICE AREAS	)	Operating Officer with the concurrence of
	)	Tom Hughes, Council President

WHEREAS, on October 25, 2001, the Council adopted Ordinance No. 01-916C, for the purpose of amending Metro Code Chapter 5.01 related to local transfer stations, and revising existing local transfer station franchises to be consistent with the Code amendments, which established a framework based on a geographical service area concept as the way to calculate putrescible waste tonnage caps for local transfer stations; and

WHEREAS, the Metro Council establishes the limits on inbound putrescible waste tonnage when approving an application for a local transfer station; and

WHEREAS, when establishing franchise tonnage limits, the Metro Council does not rely on the code provisions for transfer station service areas and instead has established uniform tonnage limits based on balancing several factors including available disposal tonnage and impacts to ratepayers; and

WHEREAS, the Solid Waste Roadmap project identified the need to conduct a transfer station study that will evaluate alternatives and make recommendations to Council regarding the best approach for allocating wet waste and Metro regulatory oversight at all private transfer stations; and

WHEREAS, the Chief Operating Officer proposes these amendments to Metro Code Chapter 5.01 to align the code provisions with policy; and

WHEREAS, the Metro Council finds that the amendments to Metro Code Chapter 5.01 furthers the goals of the agency; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. Metro Code Subsection 5.01.010(ss) is repealed in the form attached hereto as Exhibit A, and the remaining subsections of Section 5.01.010 shall be renumbered accordingly.
2. Metro Code Subsection 5.01.010(x) and 5.01.010(nn) are amended in the form attached hereto as Exhibit B and all other Subsections of Metro Code Section 5.01.010 shall remain unchanged.
3. Metro Code Section 5.01.125 is amended in the form attached hereto as Exhibit C.
4. Metro Code Section 5.01.131 is repealed in the form attached hereto as Exhibit D.
5. Metro Code Section 5.01.132 is amended in the form attached hereto as Exhibit E and all other Subsections of Metro Code Section 5.01.132 shall remain unchanged.

ADOPTED by the Metro Council this [insert date] day of [insert month] 2012.

\_\_\_\_\_  
Tom Hughes, Council President

Attest:

Approved as to Form:

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Kelsey Newell, Recorder

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Alison Kean Campbell, Metro Attorney

BM:bjj  
S:\REM\metzlerb\Transfer Station Service Area 2012\Ordinance\Ord No 12-1272.docx

**Exhibit A to Ordinance No. 12-1272**

METRO CODE – TITLE V SOLID WASTE  
CHAPTER 5.01 SOLID WASTE FACILITY REGULATION  
Section 5.01.010. Definitions

~~(ss) "Service Area" means the geographic locale around a solid waste facility that is defined by the characteristic that every point within such area is closer in distance to the solid waste facility contained in such area than to any other solid waste facility or disposal site. As used in this definition, "distance" shall be measured over improved roads in public rights of way.~~

**Exhibit B to Ordinance No. 12-1272**

METRO CODE – TITLE V SOLID WASTE  
CHAPTER 5.01 SOLID WASTE FACILITY REGULATION  
Section 5.01.010. Definitions

(x) "Local Transfer Station" means a Transfer Station that is subject to limits on the quantity of inbound tonnage as established by the Metro Council serves the demand for disposal of Putrescible Waste that is generated within a single Service Area, and may provide fewer disposal services than are provided by a Regional Transfer Station.

(nn) "Regional Transfer Station" means a Transfer Station that may serve the disposal needs of more than one Service Area and is required to accept solid waste from any person who delivers authorized solid waste to the Regional Transfer Station.



**Exhibit C to Ordinance No. 12-1272**

METRO CODE – TITLE V SOLID WASTE  
CHAPTER 5.01 SOLID WASTE FACILITY REGULATION  
Section 5.01.125 Obligations and Limits for Selected Types of Activities

5.01.125 Obligations and Limits for Selected Types of Activities

(a) A holder of a License or Franchise for a Material Recovery facility or Transfer Station issued after July 1, 2000, shall perform Material Recovery from Non-Putrescible Waste accepted at the facility as specified in this section or as otherwise specified in its license or franchise, or shall deliver such Non-Putrescible Waste to a Solid Waste facility authorized by Metro to recover useful materials from Solid Waste.

(b) A licensee or franchisee subject to subsection (a) of this section shall recover at least 25% by weight of Non-Putrescible waste accepted at the facility and waste delivered by public customers. For the purposes of calculating the amount of recovery required by this subsection, recovered waste shall exclude both waste from industrial processes and ash, inert rock, concrete, concrete block, foundry brick, asphalt, dirt, and sand. Failure to maintain the minimum recovery rate specified in this section shall constitute a violation enforceable under Metro Code Sections 5.01.180 and 5.01.200. After December 31, 2008, the requirements of this subsection will not be applicable to licensees or franchisees unless Metro Council determines that this standard should be reinstated to replace the processing residual standard established in 5.01.125(c).

(c) Effective January 1, 2009, a licensee or franchisee subject to subsection (a) of this section shall:

- (1) Process non-putrescible waste accepted at the facility and delivered in drop boxes and self-tipping trucks to recover cardboard, wood, and metals, including aluminum. Processing residual from such a facility shall not contain more than 15 percent, by total combined weight, of cardboard or wood pieces of greater than 12 inches in size in any dimension and metal pieces greater than eight inches in size in any dimension.
- (2) Take quarterly samples of processing residual that are statistically valid and representative of the facility's residual (not less than a 300-pound sample) and provide results of such sampling to Metro in the monthly report due the month following the end of that quarter.
- (3) Based on observation, audits, inspections and reports, Metro inspectors shall conduct or require additional

analysis of waste residual at the facility in accordance with Section 5.01.135(c). Failure to maintain the recovery level specified in subsection (c)(1) of this section shall constitute a violation enforceable under Metro Code. The first two violations of this subsection by a single licensee or franchisee shall not result in the imposition of a civil penalty.

- (4) Failure to meet the reporting requirements in subsection (c)(2) of this section shall constitute a violation enforceable under Metro Code after June 30, 2009.
- (d) A holder of a Franchise for a Local Transfer Station:
  - (1) Shall accept Putrescible Waste originating within the Metro boundary only from persons who are franchised or permitted by a local government unit to collect and haul Putrescible Waste.
  - (2) Shall not accept hazardous waste.
  - (3) Shall be limited in accepting Putrescible Waste during any fiscal year to an amount of Putrescible Waste as established by the Metro Council in approving the Local Transfer Station Franchise application~~equal to the demand for disposal of Putrescible Waste generated within a Service Area as specified in accordance with this chapter.~~
  - (4) The Chief Operating Officer may authorize an increase in a tonnage authorization established pursuant to subsection 5.01.125(d)(3) of this chapter upon the Chief Operating Officer's finding that growth or other conditions affecting demand for disposal of Putrescible Waste cannot be served by said tonnage authorization. Any such increase in tonnage authorized pursuant to this subsection shall be limited to a maximum of five percent (5%) of any tonnage authorization or disposal limit approved by the Council, and shall be valid for a period not exceeding 24 months~~Shall accept Solid Waste from any Waste Hauler who operates to serve a substantial portion of the demand for disposal of Solid Waste within the Service Area of the Local Transfer Station.~~
- (e) A holder of a Franchise for a Regional Transfer Station, in accordance with its franchise:
  - (1) Shall accept authorized Solid Waste originating within the Metro boundary from any person who delivers authorized waste to the facility, on the days and at

the times established by Metro in approving the Franchise application.

- (2) Shall provide an area for collecting Household Hazardous Waste from residential generators at the Franchised Solid Waste Facility, or at another location more convenient to the population being served by the franchised Solid Waste Facility, on the days and at the times established by Metro in approving the Franchise application.
- (3) Shall provide an area for collecting source-separated recyclable materials without charge at the Franchised Solid Waste Facility, or at another location more convenient to the population being served by the franchised Solid Waste Facility, on the days and at the times established by Metro in approving the Franchise application.

(f) A holder of a license for a reload facility shall deliver all non-putrescible waste received at the facility to a solid waste facility authorized by Metro to recover useful materials from solid waste.

(g) A holder of a license or franchise for a solid waste facility shall not crush, grind or otherwise reduce the size of non-putrescible waste except when such size reduction constitutes a specific step in the facility's material recovery operations, reload operations, or processing residual consolidation or loading operations, and such size reduction is described and approved by Metro in an operating plan.

**Exhibit D to Ordinance No. 12-1272**

**METRO CODE – TITLE V SOLID WASTE  
CHAPTER 5.01 SOLID WASTE FACILITY REGULATION**

~~Section 5.01.131 — Designation and Review of Service Areas and of Demand~~

~~(a) The Chief Operating Officer shall designate Service Areas and shall calculate demand for disposal of Putrescible Waste generated within each Service Area. Demand shall be determined by calculating the approximate tonnage of putrescible waste for each service area.~~

~~(b) By March 15 of each even numbered year, the Chief Operating Officer shall provide a written report to the Metro Council that includes:~~

- ~~(1) A quantitative review of the demand for disposal of Putrescible Waste within all Service Areas;~~
- ~~(2) A review of the performance of the obligations and limits authorized pursuant to Section 5.01.125(c) of this chapter in achieving the policies stated by Council in adopting this chapter; and~~
- ~~(3) A recommendation on any revisions of Service Area boundaries, change in the need for disposal capacity within any Service Area, or changes of obligations or limits imposed on any Local Transfer Station.~~
- ~~(4) The Chief Operating Officer shall consider the relationship between demand and disposal capacity located within each Service Area to insure that all Service Areas are treated equally and equitably concerning the availability of disposal capacity to meet the calculated demand.~~

~~(c) Notwithstanding subsection (b), the Chief Operating Officer may authorize an increase in a tonnage authorization established pursuant to subsection 5.01.125(c)(3) of this chapter upon the Chief Operating Officer's finding that growth or other conditions affecting demand for disposal of Putrescible Waste within the Service Area cannot be served by said tonnage authorization. Any such increase in tonnage authorized pursuant to this subsection shall be limited to a maximum of five percent (5%) of any tonnage authorization or disposal limit approved by the Council, and shall be valid for a period not exceeding 24 months.~~

**Exhibit E to Ordinance No. 12-1272**

METRO CODE – TITLE V SOLID WASTE  
CHAPTER 5.01 SOLID WASTE FACILITY REGULATION  
Section 5.01.132 Adoption & Amendment of Administrative Procedures and Performance Standards

5.01.132 Adoption & Amendment of Administrative Procedures and Performance Standards

(a) The Chief Operating Officer may issue administrative procedures and performance standards governing the obligations of Licensees and Franchisees under this chapter, including but not limited to procedures and performance standards for nuisance control, public notification of facility operations, management of unacceptable wastes, facility record keeping and reporting, yard debris composting operations, non-putrescible waste material recovery, non-putrescible waste reloading, transportation of Putrescible Waste, ~~and designation and review of Service Areas and demand pursuant to Section 5.01.131 of this chapter.~~

(b) The Chief Operating Officer may issue administrative procedures and performance standards to implement all provisions of this chapter.

(c) The Chief Operating Officer shall substantially amend the administrative procedures and performance standards issued under subsections (a) or (b) of this section only after providing public notice and the opportunity to comment on the proposed amendment.

(d) The Chief Operating Officer may hold a public hearing on any proposed new administrative procedure and performance standard or on any proposed amendment to any administrative procedure and performance standard, if the Chief Operating Officer determines that there is sufficient public interest in any such proposal.

## STAFF REPORT

### IN CONSIDERATION OF ORDINANCE NO. 12-1272, FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 5.01 TO REPEAL PROVISIONS RELATED TO TRANSFER STATION SERVICE AREAS

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Date: February 1, 2012

Prepared by: Bill Metzler 503-797-1666  
Roy Brower 503-797-1657

The proposed Ordinance will repeal certain provisions in Metro Code Chapter 5.01 related to transfer station service areas. Council will continue to establish wet waste tonnage caps for local transfer stations when approving franchise applications as reflected in both Exhibit B and C to Ordinance No. 12-1272. In addition, the Solid Waste Roadmap project will continue to lead a process for Council to consider options for transfer stations.

#### BACKGROUND

The putrescible (“wet”) waste disposal system currently consists of two classes of transfer facilities under Metro code: (1) large-scale *regional* transfer stations, of which only one is privately-owned (the other two are the Metro stations); and (2) limited-scale *local* transfer stations, of which there are currently three, all privately-owned. Both classes of privately-owned transfer stations are authorized and regulated by Metro through franchises that are approved by the Council.

One of Metro’s methods for regulating local transfer stations has been to limit tonnage that can be accepted at a local transfer station by establishing a volume cap on wet waste (“tonnage cap”). Tonnage caps have been an effective tool for balancing the benefits of travel time reductions for haulers, the investment in the public transfer stations (Metro’s fiscal and contractual integrity) and the public interest in maintaining reasonable prices for disposal services. Tonnage caps, Metro’s market share, and disposal fees at the public transfer stations have helped to establish a fairly consistent disposal fee across the region at all transfer stations.

In practice, tonnage caps for local transfer stations have been established during the franchise approval process by Council’s consideration of relevant factors at the time. Metro has been able to set tonnage caps that are functional in practice, help minimize vehicle miles travelled, and help foster competition, without directly regulating rates or setting rates at facilities. Limiting the tonnage at each facility serves as a proxy for rate regulation.

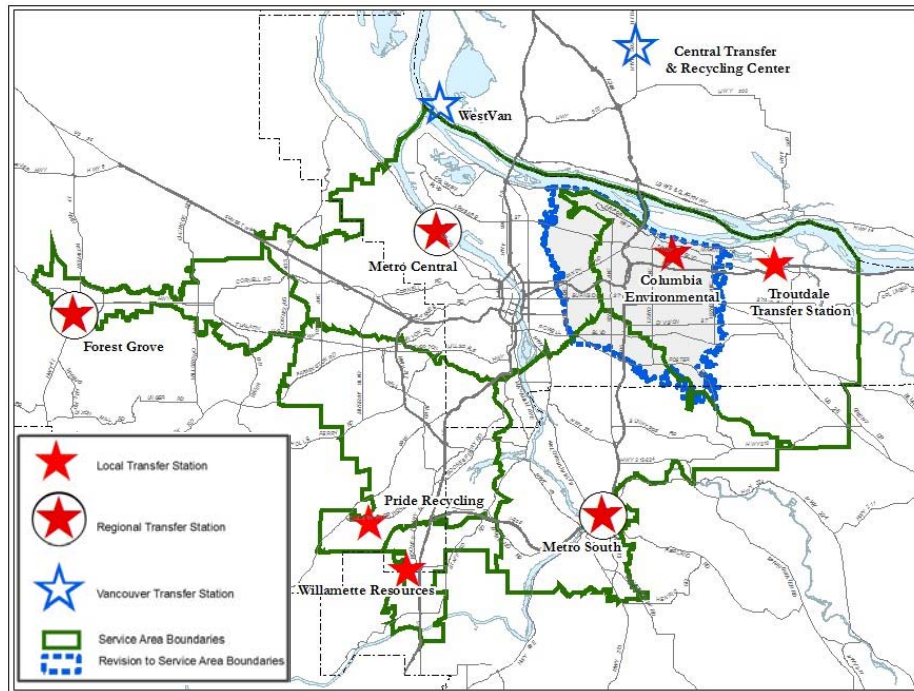
#### Service Area Model Considered but Not Implemented

In 2001, the Council adopted Ordinance No. 01-916C to establish a new theoretical framework for calculating and establishing local transfer station tonnage caps based on a geographical service area concept. In 2002, service area boundaries were initially established for each local transfer station by (1) calculating the amount of wet waste available for disposal in each service area (“calculating demand”) and (2) limiting the wet waste tons that could be delivered to local transfer stations to the calculated demand within each service area.

It became apparent immediately that implementation of the service area model would disrupt the system already in place, particularly at three local transfer stations which were already operating with established tonnage caps: Pride Recycling located in Sherwood; Troutdale Transfer Station located in Troutdale; and Willamette Resources, Inc. (WRI) located in Wilsonville. The service area model calculations would

substantially alter tonnage caps for all three local transfer stations. In September 2005 the service area boundaries were redrawn as shown in Figure A when Columbia Environmental was approved as a potentially new transfer station. This reduced the model service areas adjacent to existing transfer stations (Metro Central and South, and Troutdale). Any addition or deletion of transfer stations would similarly shift tonnage among facilities.

**Figure A -Transfer Station Service Area Map**



### Findings

The theoretical tonnage shift in 2002 and the subsequent addition of Columbia Environmental, even though it was never constructed, illustrated how the service areas could be disrupted whenever new facilities came on line or were retired. Rather than encouraging competition and improving service, the service area model would have the opposite effect by destabilizing existing facilities which were operating efficiently. Several past Transfer Station Service Area reports have pointed out that the service area code provisions for setting tonnage caps were impractical for an established system and could work against the public interest. Instead, each local transfer station currently has a uniform cap (currently 70,000 tons per year) and is based on balancing several factors including the system-wide available disposal tonnage and impacts to ratepayers. For this reason, we recommend that the Metro Code provisions related to service areas including preparation of the every-other-year report be repealed. This eliminates confusion about how the Council reaches its approvals and also eliminates unnecessary staff work that does not contribute to the Council's consideration of transfer station applications.

### Looking forward

Since the transfer station franchises were last renewed in 2008, the total amount of solid waste generated and disposed in the Metro region has declined due to the economic recession, and the greening of the construction industry. For instance, when comparing the total annual disposal tons for the year 2007 and the year 2010, there was an overall decline of about nine percent (9%) in the total annual disposal tons from the Metro region. This contraction has continued through 2011. It is unlikely that regional disposal

tonnage will rebound significantly enough to trigger an increase in the existing caps for local transfer stations in the near term. Nevertheless, staff recommends that a specific code provision to allow up to a five percent (5%) increase in a tonnage cap based on growth or other conditions be retained and moved to another section of the code as reflected in Exhibit C to Ordinance No. 12-1272.

In 2011, the Solid Waste Roadmap project identified the need to conduct a transfer station study that will look at the decades ahead to evaluate a range of alternatives and make recommendations to Council regarding the best approach for allocating wet waste, establishing tonnage caps and exercising regulatory oversight at all private transfer stations in the future. The study is to be concluded in time for consideration of transfer station franchise renewals in 2013.

This staff report recommends that the code provisions for transfer station service areas be repealed, including the requirement to produce a transfer station service area report every other year. Further, due to the decline in disposal tonnage since 2008, staff recommends that the existing tonnage caps for all local transfer stations remain unchanged at 70,000 tons per year for the current franchise period through 2013, pending completion of the Solid Waste Roadmap's transfer station study.

## **ANALYSIS/INFORMATION**

- 1. Known Opposition.** There is no known opposition.
- 2. Legal Antecedents.** Metro Ordinance No. 01-916C, adopted on October 25, 2001, Metro Code Chapter 5.01.
- 3. Anticipated Effects.** Adoption of Ordinance No. 12-1272 will repeal or amend specific sections of the Metro Code Chapter 5.01 provisions related to transfer station service areas.
- 4. Budget Impacts.** There are no negative budget impacts associated with implementation of the proposed legislation.

## **RECOMMENDED ACTION**

The Chief Operating Officer recommends adoption of Ordinance No.12-1272.



**Ordinance No. 12-1273**, For the Purpose of Amending the FY 2011-12 Budget and Appropriations Schedule, Recognizing New Grants, Donations and Other Contributions and Amending the FY 2011-12 through FY 2015-16 Capital Improvement Plan.

*Ordinances – Second Reading*

Metro Council Meeting  
Thursday, March 22, 2012  
Metro, Council Chamber

BEFORE THE METRO COUNCIL

AMENDING THE FY 2011-12 BUDGET AND ) ORDINANCE NO. 12-1273  
APPROPRIATIONS SCHEDULE, RECOGNIZING )  
NEW GRANTS, DONATIONS AND OTHER ) Introduced by Martha Bennett, Chief  
CONTRIBUTIONS AND AMENDING THE FY ) Operating Officer, with the concurrence of  
2011-12 THROUGH FY 2015-16 CAPITAL ) Council President Tom Hughes  
IMPROVEMENT PLAN )

WHEREAS, the Metro Council has reviewed and considered the need to increase appropriations within the FY 2011-12 Budget; and

WHEREAS, the need for the increase of appropriation has been justified; and

WHEREAS, adequate funds exist for other identified needs; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

- 1. That the FY 2011-12 Budget and Schedule of Appropriations are hereby amended as shown in the column entitled "Revision" of Exhibits A and B to this Ordinance for the purpose of recognizing new grants, contributions and donations, and transferring appropriations to provide for a change in operations.
- 2. That the FY 2011-12 through FY 2015-16 Capital Improvement Plan is hereby amended accordingly.
- 3. This Ordinance being necessary for the immediate preservation of the public health, safety or welfare of the Metro area in order to meet obligations and comply with Oregon Budget Law, an emergency is declared to exist, and this Ordinance takes effect upon passage.

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_ 2012.

\_\_\_\_\_  
Tom Hughes, Council President

Attest:

Approved as to Form:

\_\_\_\_\_  
Kelsey Newell, Recording Secretary

\_\_\_\_\_  
Alison Kean Campbell, Metro Attorney

**Exhibit A**  
**Ordinance No. 12-1273**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
<b>General Fund</b>							
<b>Total Resources</b>							
<b><u>Resources</u></b>							
<i>BEGBAL</i>	<i>Beginning Fund Balance</i>						
3500	Beginning Fund Balance						
	* Undesignated		7,392,000			0	7,392,000
	* Prior period adjustment: TOD		3,290,434			0	3,290,434
	* Project Carryover		842,458			0	842,458
	* Recovery Rate Stabilization Reserve		500,000			0	500,000
	* Reserved for Local Gov't Grants (CET)		3,173,715			0	3,173,715
	* Reserve for Future Debt Service		2,588,707			0	2,588,707
	* Reserved for Community Investment Initiativ		1,838,699			0	1,838,699
	* Reserved for Future Planning Needs		318,662			0	318,662
	* Reserved for Future Election Costs		133,411			0	133,411
	* Reserved for Nature in Neighborhood Grants		298,561			0	298,561
	* Reserved for Active Transportation Partnersh		84,843			0	84,843
	* Reserve for Future Natural Areas Operations		504,460			0	504,460
	* Prior year PERS Reserve		4,653,605			0	4,653,605
	<i>Subtotal Beginning Fund Balance</i>		<i>25,619,555</i>			<i>0</i>	<i>25,619,555</i>
<b><u>General Revenues</u></b>							
<i>EXCISE</i>	<i>Excise Tax</i>						
4050	Excise Taxes		15,100,765			0	15,100,765
4055	Construction Excise Tax		1,605,000			0	1,605,000
<i>RPTAX</i>	<i>Real Property Taxes</i>						
4010	Real Property Taxes-Current Yr		11,424,309			0	11,424,309
4015	Real Property Taxes-Prior Yrs		343,000			0	343,000
<i>INTRST</i>	<i>Interest Earnings</i>						
4700	Interest on Investments		107,000			0	107,000
	<i>Subtotal General Revenues</i>		<i>28,580,074</i>			<i>0</i>	<i>28,580,074</i>
<b><u>Department Revenues</u></b>							
<i>GRANTS</i>	<i>Grants</i>						
4100	Federal Grants - Direct		3,920,144			0	3,920,144
4105	Federal Grants - Indirect		7,256,984			0	7,256,984
4110	State Grants - Direct		736,970			0	736,970
4120	Local Grants - Direct		258,098			0	258,098
<i>LGSHRE</i>	<i>Local Gov't Share Revenues</i>						
4135	Marine Board Fuel Tax		90,246			0	90,246
4139	Other Local Govt Shared Rev.		463,398			0	463,398
<i>GVCNTB</i>	<i>Contributions from Governments</i>						
4145	Government Contributions		3,024,060			0	3,024,060
4150	Contractor's Business License		386,000			0	386,000
<i>CHGSVC</i>	<i>Charges for Service</i>						
4165	Boat Launch Fees		156,432			0	156,432
4180	Contract & Professional Service		803,047		13,625		816,672
4230	Product Sales		139,968			0	139,968
4280	Grave Openings		177,450			0	177,450
4285	Grave Sales		165,876			0	165,876
4500	Admission Fees		6,210,278			0	6,210,278
4501	Conservation Surcharge		144,000			0	144,000
4502	Admission Fees - Memberships		1,184,000			0	1,184,000
4503	Admission Fees - Special Concerts		1,254,000			0	1,254,000

**Exhibit A**  
**Ordinance No. 12-1273**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
<b>General Fund</b>							
<b>Total Resources</b>							
4510	Rentals		716,126		0		716,126
4550	Food Service Revenue		5,381,070		0		5,381,070
4560	Retail Sales		2,258,304		0		2,258,304
4580	Utility Services		2,028		0		2,028
4610	Contract Revenue		914,793		0		914,793
4620	Parking Fees		924,000		0		924,000
4630	Tuition and Lectures		1,208,887		0		1,208,887
4635	Exhibit Shows		702,500		0		702,500
4640	Railroad Rides		960,000		0		960,000
4645	Reimbursed Services		224,000		0		224,000
4650	Miscellaneous Charges for Service		14,867		0		14,867
4760	Sponsorships		60,140		0		60,140
DONAT	<i>Contributions from Private Sources</i>						
4750	Donations and Bequests		1,065,100		0		1,065,100
MISCRV	<i>Miscellaneous Revenue</i>						
4170	Fines and Forfeits		25,000		0		25,000
4890	Miscellaneous Revenue		113,689		0		113,689
EQTREV	<i>Fund Equity Transfers</i>						
4970	Transfer of Resources						
	* from MERC Operating Fund		1,958,805		(7,656)		1,951,149
	* from MERC Pooled Capital Fund		25,000		1,205		26,205
	* from Natural Areas Fund		47,000		6,783		53,783
	* from Risk Management Fund		657,347		250		657,597
	* from Solid Waste Revenue Fund		1,112,000		11,239		1,123,239
INDTRV	<i>Interfund Reimbursements</i>						
4975	Transfer for Indirect Costs						
	* from MERC Operating Fund		2,164,856		0		2,164,856
	* from Zoo Bond Fund		148,940		0		148,940
	* from Natural Areas Fund		1,241,830		0		1,241,830
	* from Solid Waste Revenue Fund		4,085,082		0		4,085,082
INTSRV	<i>Internal Service Transfers</i>						
4980	Transfer for Direct Costs						
	* from Zoo Bond Fund		188,236		0		188,236
	* from MERC Operating Fund		77,884		27,770		105,654
	* from Natural Areas Fund		477,107		0		477,107
	* from Smith & Bybee Lakes Fund		112,251		0		112,251
	* from Solid Waste Revenue Fund		2,048,786		27,770		2,076,556
	<i>Subtotal Department Revenues</i>		<i>55,286,579</i>		<i>80,986</i>		<i>55,367,565</i>
<b>TOTAL RESOURCES</b>			<b>\$109,486,208</b>		<b>\$80,986</b>		<b>\$109,567,194</b>

**Exhibit A  
Ordinance No. 12-1273**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
<b>General Fund</b>							
<b>Communications</b>							
<i>Personal Services</i>							
<i>SALWGE Salaries &amp; Wages</i>							
5010	Reg Employees-Full Time-Exempt						
	Administrative Specialist IV	1.00	57,953	-	0	1.00	57,953
	Associate Public Affairs Specialist	5.00	302,168	-	9,400	5.00	311,568
	Associate Visual Communications Designe	1.00	60,837	-	0	1.00	60,837
	Director	1.00	132,300	-	0	1.00	132,300
	Manager II	3.00	277,195	-	0	3.00	277,195
	Program Supervisor II	1.00	81,624	-	0	1.00	81,624
	Senior Management Analyst	1.00	60,836	-	0	1.00	60,836
	Senior Public Affairs Specialist	8.00	589,280	-	0	8.00	589,280
	Senior Visual Communications Designer	1.00	61,129	-	0	1.00	61,129
5089	Salary Adjustments						
	Merit/COLA Adjustment (non-rep)		4,911		0		4,911
	Step Increases (AFSCME)		11,816		0		11,816
	COLA (represented employees)		10,743		0		10,743
	Other Adjustments (AFSCME)		6,932		0		6,932
<i>FRINGE Fringe Benefits</i>							
5100	Fringe Benefits						
	Base Fringe (variable & fixed)		682,534		4,225		686,759
<b>Total Personal Services</b>		<b>22.00</b>	<b>\$2,340,258</b>	<b>0.00</b>	<b>\$13,625</b>	<b>22.00</b>	<b>\$2,353,883</b>
<b>Total Materials &amp; Services</b>			<b>\$159,319</b>		<b>\$0</b>		<b>\$159,319</b>
<b>Total Capital Outlay</b>			<b>\$0</b>		<b>\$0</b>		<b>\$0</b>
<b>TOTAL REQUIREMENTS</b>		<b>22.00</b>	<b>\$2,499,577</b>	<b>0.00</b>	<b>\$13,625</b>	<b>22.00</b>	<b>\$2,513,202</b>

**Exhibit A  
Ordinance No. 12-1273**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
<b>General Fund</b>							
<b>Council Office</b>							
<i>Personal Services</i>							
SALWGE	Salaries & Wages						
5000	Elected Official Salaries						
	Council President	1.00	114,468	-	0	1.00	114,468
	Councilor	6.00	228,936	-	0	6.00	228,936
5010	Reg Employees-Full Time-Exempt						
	Chief Operating Officer	1.00	179,466	-	0	1.00	179,466
	Council Policy Analyst	4.00	219,364	-	0	4.00	219,364
	Director	1.00	123,771	-	0	1.00	123,771
	Deputy Chief Operating Officer	1.00	160,322	-	0	1.00	160,322
	Policy Advisor I	3.00	286,746	-	0	3.00	286,746
	Policy Advisor II	2.00	272,198	0.38	63,625	2.38	335,823
	Program Analyst II	4.00	218,881	-	0	4.00	218,881
	Program Analyst IV	1.00	68,294	1.00	72,812	2.00	141,106
5030	Temporary Employees		137,300		0		137,300
5080	Overtime		5,000		0		5,000
5089	Salary Adjustments				0		0
	Elected Officials Adjustment		0		0		0
	Merit/COLA Adjustment (non-rep)		15,290		728		16,018
FRINGE	Fringe Benefits						
5100	Fringe Benefits						
	Base Fringe (variable & fixed)		790,882		50,119		841,001
<b>Total Personal Services</b>		<b>24.00</b>	<b>\$2,820,918</b>	<b>1.38</b>	<b>\$187,284</b>	<b>25.38</b>	<b>\$3,008,202</b>
<i>Materials &amp; Services</i>							
GOODS	Goods						
	5201 Office Supplies		121,808		0		121,808
	5205 Operating Supplies		2,663		0		2,663
	5210 Subscriptions and Dues		1,739		0		1,739
SVCS	Services						
	5240 Contracted Professional Svcs		642,000		17,151		659,151
	5251 Utility Services		6,668		0		6,668
	5260 Maintenance & Repair Services		1,102		0		1,102
	5265 Rentals		856		0		856
	5280 Other Purchased Services		19,658		0		19,658
OTHEXP	Other Expenditures						
	5450 Travel		39,975		0		39,975
	5455 Staff Development		11,662		0		11,662
	5470 Council Costs		21,000		0		21,000
	5490 Miscellaneous Expenditures		4,501		0		4,501
<b>Total Materials &amp; Services</b>			<b>\$873,632</b>		<b>\$17,151</b>		<b>\$890,783</b>
<b>TOTAL REQUIREMENTS</b>		<b>24.00</b>	<b>\$3,694,550</b>	<b>1.38</b>	<b>\$204,435</b>	<b>25.38</b>	<b>\$3,898,985</b>

**Exhibit A  
Ordinance No. 12-1273**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
<b>General Fund</b>							
<b>Human Resources</b>							
<i>Personal Services</i>							
SALWGE	<i>Salaries &amp; Wages</i>						
5010	Reg Employees-Full Time-Exempt						
	Director	1.00	138,155	-	0	1.00	138,155
	Manager I	1.00	81,691	-	0	1.00	81,691
	Manager II	1.00	88,144	-	0	1.00	88,144
	Program Analyst I	1.00	49,436	-	0	1.00	49,436
	Program Analyst III	3.00	193,988	-	0	3.00	193,988
	Program Analyst IV	3.00	218,105	-	0	3.00	218,105
	Program Analyst V	4.00	298,417	(1.00)	(72,812)	3.00	225,605
5015	Reg Empl-Full Time-Non-Exempt						
	Administrative Assistant III	3.00	135,948	-	0	3.00	135,948
	Payroll Specialist	1.00	43,112	-	0	1.00	43,112
	Payroll Technician II	1.00	37,315	-	0	1.00	37,315
5080	Overtime		1,000		0		1,000
5089	Salary Adjustments				0		
	Merit/COLA Adjustment (non-rep)		12,039		(728)		11,311
	Step Increases (AFSCME)		885		0		885
	COLA (represented employees)		804		0		804
	Other Adjustments (AFSCME)		770		0		770
FRINGE	<i>Fringe Benefits</i>						
5100	Fringe Benefits						
	Base Fringe (variable & fixed)		580,887		(30,434)		550,453
<b>Total Personal Services</b>		<b>19.00</b>	<b>\$1,880,696</b>	<b>(1.00)</b>	<b>(\$103,974)</b>	<b>18.00</b>	<b>\$1,776,722</b>
<i>Materials &amp; Services</i>							
GOODS	<i>Goods</i>						
	5201 Office Supplies		13,493		0		13,493
	5205 Operating Supplies		9,330		0		9,330
	5210 Subscriptions and Dues		10,018		0		10,018
	5215 Maintenance & Repairs Supplies		674		0		674
SVCS	<i>Services</i>						
	5240 Contracted Professional Svcs		190,448		0		190,448
	5260 Maintenance & Repair Services		4,794		0		4,794
	5280 Other Purchased Services		81,860		0		81,860
OTHEXP	<i>Other Expenditures</i>						
	5440 Program Purchases		92,151		(17,151)		75,000
	5450 Travel		7,691		0		7,691
	5455 Staff Development		13,776		0		13,776
<b>Total Materials &amp; Services</b>			<b>\$424,235</b>		<b>(\$17,151)</b>		<b>\$407,084</b>
<b>TOTAL REQUIREMENTS</b>		<b>19.00</b>	<b>\$2,304,931</b>	<b>(1.00)</b>	<b>(\$121,125)</b>	<b>18.00</b>	<b>\$2,183,806</b>

**Exhibit A  
Ordinance No. 12-1273**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
<b>General Fund</b>							
<b>Office of Metro Attorney</b>							
<i>Personal Services</i>							
SALWGE	Salaries & Wages						
5010	Reg Employees-Full Time-Exempt						
	Deputy Metro Attorney	1.00	132,355	(0.38)	(63,625)	0.62	68,730
	Legal Counsel II	6.00	658,427	-	0	6.00	658,427
	Metro Attorney	1.00	169,662	-	0	1.00	169,662
5015	Reg Empl-Full Time-Non-Exempt						
	Administrative Assistant III	1.00	53,768	-	0	1.00	53,768
	Legal Secretary	3.00	147,846	-	0	3.00	147,846
	Paralegal II	2.00	119,434	-	0	2.00	119,434
5020	Reg Emp-Part Time-Exempt						
	Legal Counsel II	1.50	147,483	-	0	1.50	147,483
5025	Reg Employees-Part Time-Non-Exempt						
5080	Overtime		7,500		0		7,500
5089	Salary Adjustments				0		
	Merit/COLA Adjustment (non-rep)		14,290		0		14,290
FRINGE	Fringe Benefits						
5100	Fringe Benefits						
	Base Fringe (variable & fixed)		552,944		(19,685)		533,259
<b>Total Personal Services</b>		<b>15.50</b>	<b>\$2,003,709</b>	<b>(0.38)</b>	<b>(\$83,310)</b>	<b>15.12</b>	<b>\$1,920,399</b>
<i>Materials &amp; Services</i>							
GOODS	Goods						
5201	Office Supplies		13,753		0		13,753
5205	Operating Supplies		4,921		0		4,921
5210	Subscriptions and Dues		27,551		0		27,551
SVCS	Services						
5240	Contracted Professional Svcs		427		0		427
5280	Other Purchased Services		8,109		0		8,109
OTHEXP	Other Expenditures						
5450	Travel		534		0		534
5455	Staff Development		6,634		0		6,634
5490	Miscellaneous Expenditures		2,247		0		2,247
<b>Total Materials &amp; Services</b>			<b>\$64,176</b>		<b>\$0</b>		<b>\$64,176</b>
<b>TOTAL REQUIREMENTS</b>		<b>15.50</b>	<b>\$2,067,885</b>	<b>(0.38)</b>	<b>(\$83,310)</b>	<b>15.12</b>	<b>\$1,984,575</b>



**Exhibit A**  
**Ordinance No. 12-1273**

ACCT	DESCRIPTION	Current		Revision		Amended	
		FTE	Amount	FTE	Amount	FTE	Amount
<b>General Fund</b>							
<b>Parks &amp; Environmental Services</b>							
<b>Total Personal Services</b>		<b>38.25</b>	<b>\$3,915,513</b>	<b>0.00</b>	<b>\$0</b>	<b>38.25</b>	<b>\$3,915,513</b>
<b><i>Materials &amp; Services</i></b>							
<i>GOODS Goods</i>							
	5201 Office Supplies		103,556		0		103,556
	5205 Operating Supplies		124,638		0		124,638
	5210 Subscriptions and Dues		5,594		0		5,594
	5214 Fuels and Lubricants		79,444		0		79,444
	5215 Maintenance & Repairs Supplies		196,767		0		196,767
	5225 Retail		9,316		0		9,316
<i>SVCS Services</i>							
	5240 Contracted Professional Svcs		430,923		20,000		450,923
	5250 Contracted Property Services		212,031		50,000		262,031
	5251 Utility Services		434,323		0		434,323
	5255 Cleaning Services		169,886		0		169,886
	5260 Maintenance & Repair Services		361,388		0		361,388
	5265 Rentals		52,755		0		52,755
	5280 Other Purchased Services		44,847		0		44,847
<i>CAPMNT Capital Maintenance</i>							
	5262 Capital Maintenance - Non-CIP		11,000		0		11,000
<i>IGEXP Intergov't Expenditures</i>							
	5300 Payments to Other Agencies		138,747		0		138,747
	5310 Taxes (Non-Payroll)		259,248		0		259,248
<i>OTHEXP Other Expenditures</i>							
	5450 Travel		5,290		0		5,290
	5455 Staff Development		30,918		0		30,918
<b>Total Materials &amp; Services</b>			<b>\$2,670,671</b>		<b>\$70,000</b>		<b>\$2,740,671</b>
<b>TOTAL REQUIREMENTS</b>		<b>38.25</b>	<b>\$6,586,184</b>	<b>0.00</b>	<b>\$70,000</b>	<b>38.25</b>	<b>\$6,656,184</b>

**Exhibit A**  
**Ordinance No. 12-1273**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
<b>General Fund</b>							
<b>General Expenses</b>							
<i><b>Interfund Transfers</b></i>							
<i>INDTEX</i>	<i>Interfund Reimbursements</i>						
5800	Transfer for Indirect Costs						
	* to Risk Mgmt Fund-Liability		344,916		0		344,916
	* to Risk Mgmt Fund-Worker Comp		382,344		0		382,344
<i>EQTCHG</i>	<i>Fund Equity Transfers</i>						
5810	Transfer of Resources						
	* to General Revenue Bond Fund-Zoo		404,408		0		404,408
	* to Gen'l Asset Mgmt Fund-General Acct		10,000		0		10,000
	* to Gen'l Revenue Bond Fund-Debt Serv Acct		1,500,920		0		1,500,920
	* to MERC Fund (Tourism Opp. & Compt. Accour		480,000		0		480,000
	* to Renewal & Replacement Fund-General R&R		647,978		0		647,978
	* to Renewal & Replacement Fund-IT Renewal &		255,000		0		255,000
	* to General Asset Management Fund		197,915		0		197,915
	* to Renewal & Replacement Fund-Regional Cent		322,540		0		322,540
	* to Renewal & Replacement Fund-Parks R&R		323,000		0		323,000
	* to Solid Waste Revenue Fund		148,458		0		148,458
<b>Total Interfund Transfers</b>			<b>\$5,017,479</b>		<b>\$0</b>		<b>\$5,017,479</b>
<i><b>Contingency &amp; Unappropriated Balance</b></i>							
<i>CONT</i>	<i>Contingency</i>						
5999	Contingency						
	* Contingency		2,978,646		(70,000)		2,908,646
	* Opportunity Account		153,496		0		153,496
	* Reserved for Streetcar LID (RRSR)		500,000		0		500,000
<i>UNAPP</i>	<i>Unappropriated Fund Balance</i>						
5990	Unappropriated Fund Balance						
	* Stabilization Reserve		2,364,296		55,540		2,419,836
	* PERS Reserve		6,238,195		11,821		6,250,016
	* Recovery Rate Stabilization reserve		1,396,943		0		1,396,943
	* Reserved for Community Investment Initiativ		812,000		0		812,000
	* Reserved for Future Natural Areas Operation:		204,460		0		204,460
	* Reserved for Local Gov't Grants (CET)		1,165,574		0		1,165,574
	* Reserved for Future Planning Needs		14,993		0		14,993
	* Reserve for Future Debt Service		2,526,028		0		2,526,028
<b>Total Contingency &amp; Unappropriated Balance</b>			<b>\$18,354,631</b>		<b>(\$2,639)</b>		<b>\$18,351,992</b>
<b>TOTAL REQUIREMENTS</b>		<b>455.81</b>	<b>\$109,486,208</b>	<b>(0.00)</b>	<b>\$80,986</b>	<b>455.81</b>	<b>\$109,567,194</b>

**Exhibit A  
Ordinance No. 12-1273**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
<b>Metro Exposition Recreation Commission Fund</b>							
<b>MERC Fund</b>							
<b>Total Personal Services</b>		<b>185.85</b>	<b>\$17,791,493</b>	<b>-</b>	<b>\$0</b>	<b>185.85</b>	<b>\$17,791,493</b>
<b>Total Materials &amp; Services</b>			<b>\$20,967,170</b>		<b>\$0</b>		<b>\$20,967,170</b>
<b>Total Capital Outlay</b>			<b>\$3,116,366</b>		<b>\$0</b>		<b>\$3,116,366</b>
<b><i>Interfund Transfers</i></b>							
<i>INDTEX</i>	<i>Interfund Reimbursements</i>						
5800	Transfer for Indirect Costs						
	* to General Fund-Support Services		1,953,643		0		1,953,643
	* to General Fund		211,213		0		211,213
	* to Risk Management Fund - Liability		461,938		0		461,938
	* to Risk Management Fund - Workers Comp.		279,827		0		279,827
<i>INTCHG</i>	<i>Internal Service Transfers</i>						
5820	Transfer for Direct Costs						
	* to General Fund-Support Services		77,884		27,770		105,654
<i>EQTCHG</i>	<i>Fund Equity Transfers</i>						
5810	Transfer of Resources						
	* to Renewal & Replacement Fund		10,824		0		10,824
	* to General Fund-PERS Reserve		1,958,805		(7,656)		1,951,149
	* to General Revenue Bond Fund		1,188,632		0		1,188,632
<b>Total Interfund Transfers</b>			<b>\$6,142,766</b>	<b>-</b>	<b>\$20,114</b>		<b>\$6,162,880</b>
<b><i>Contingency and Ending Balance</i></b>							
<i>CONT</i>	<i>Contingency</i>						
5999	Contingency						
	* General Contingency		2,299,335		(20,114)		2,279,221
	* New Capital/Business Strategy Reserve		4,802,541		0		4,802,541
<i>UNAPP</i>	<i>Unappropriated Fund Balance</i>						
5990	Unappropriated Fund Balance						
	* Stabilization Reserve		620,500		0		620,500
	* Ending Balance		546,241		0		546,241
	* Renewal & Replacement		12,578,195		0		12,578,195
<b>Total Contingency and Ending Balance</b>			<b>\$20,846,812</b>		<b>(\$20,114)</b>		<b>\$20,826,698</b>
<b>TOTAL REQUIREMENTS</b>		<b>185.85</b>	<b>\$68,864,607</b>	<b>-</b>	<b>\$0</b>	<b>185.85</b>	<b>\$68,864,607</b>

**Exhibit A**  
**Ordinance No. 12-1273**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
<b>Natural Areas Fund</b>							
<b><i>Personal Services</i></b>							
<i>SALWGE Salaries &amp; Wages</i>							
5010	Reg Employees-Full Time-Exempt						
	Associate Regional Planner	1.00	63,899	-	0	1.00	63,899
	Manager I	0.30	27,082	-	0	0.30	27,082
	Manager II	0.30	29,301	-	0	0.30	29,301
	Program Director	1.00	111,889	-	0	1.00	111,889
	Property Management Specialist	0.20	14,778	-	0	0.20	14,778
	Real Estate Negotiator	4.00	311,326	-	0	4.00	311,326
	Program Supervisor II	0.50	36,067	0.05	0	0.55	36,067
	Senior GIS Specialist	1.00	89,745	-	0	1.00	89,745
	Senior Management Analyst	1.00	73,892	-	0	1.00	73,892
	Senior Public Affairs Specialist	0.80	53,675	-	0	0.80	53,675
	Senior Natural Resource Scientist	1.00	73,892	-	0	1.00	73,892
5015	Reg Empl-Full Time-Non-Exempt						
	Natural Resource Technician	2.00	89,346	-	0	2.00	89,346
	Property Management Technician	1.00	45,340	-	0	1.00	45,340
5020	Reg Employees-Part Time-Exempt						
	Senior Regional Planner	0.80	65,141			0.80	65,141
5089	Salary Adjustment						
	Merit/COLA Adjustment (non-rep)		2,044		0		2,044
	Step Increases (AFSCME)		8,710		0		8,710
	COLA (represented employees)		9,254		0		9,254
	Other Adjustments (AFSCME)		4,236		0		4,236
<i>FRINGE Fringe Benefits</i>							
5100	Fringe Benefits					0	
	Base Fringe (variable & fixed)		465,516		0		465,516
<b>Total Personal Services</b>		<b>14.90</b>	<b>\$1,575,133</b>	<b>0.05</b>	<b>\$0</b>	<b>14.95</b>	<b>\$1,575,133</b>
<b>Total Materials &amp; Services</b>			<b>\$12,150,000</b>		<b>\$0</b>		<b>\$12,150,000</b>
<b>Total Capital Outlay</b>			<b>\$20,939,000</b>		<b>\$0</b>		<b>\$20,939,000</b>
<b><i>Interfund Transfers</i></b>							
<i>INDTEX Interfund Reimbursements</i>							
5800	Transfer for Indirect Costs						
	* to General Fund-Bldg		76,761		0		76,761
	* to General Fund-Support Services		1,089,453		0		1,089,453
	* to General Fund		75,616		0		75,616
	* to Risk Mgmt-Liability		3,678		0		3,678
	* to Risk Mgmt-Worker Comp		3,607		0		3,607
<i>INTCHG Internal Service Transfers</i>							
5820	Transfer for Direct Costs						
	* to General Fund-Planning		86,123		0		86,123
	* to General Fund-Regional Parks		338,553		0		338,553
	* to General Fund-General Gov't		14,569		0		14,569
	* to General Fund-Support Services		37,862		0		37,862
<i>EQTCHG Fund Equity Transfers</i>							
5810	Transfer of Resources						
	* to General Fund (Pension Obligation)		47,000		6,783		53,783
<b>Total Interfund Transfers</b>			<b>\$1,773,222</b>		<b>\$6,783</b>		<b>\$1,780,005</b>
<b><i>Contingency and Ending Balance</i></b>							
<i>CONT Contingency</i>							
5999	Contingency						
	* General contingency		1,340,396		(6,783)		1,333,613
<b>Total Contingency and Ending Balance</b>			<b>\$1,340,396</b>		<b>(\$6,783)</b>		<b>\$1,333,613</b>
<b>TOTAL REQUIREMENTS</b>		<b>14.90</b>	<b>\$37,777,751</b>	<b>0.05</b>	<b>\$0</b>	<b>14.95</b>	<b>\$37,777,751</b>

**Exhibit A**  
**Ordinance No. 12-1273**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
<b>Oregon Zoo Infrastructure and Animal Welfare Fund</b>							
<b>Oregon Zoo Bond Fund</b>							
<b>Total Personal Services</b>		<b>5.33</b>	<b>\$628,075</b>	<b>0.00</b>	<b>\$0</b>	<b>5.33</b>	<b>\$628,075</b>
<b>Total Materials &amp; Services</b>			<b>\$0</b>		<b>\$0</b>		<b>\$0</b>
<b>Total Capital Outlay</b>			<b>\$6,432,825</b>		<b>\$0</b>		<b>\$6,432,825</b>
<b>TOTAL REQUIREMENTS</b>		<b>5.33</b>	<b>\$7,060,900</b>	<b>0.00</b>	<b>\$0</b>	<b>5.33</b>	<b>\$7,060,900</b>
<b><i>Interfund Transfers</i></b>							
<i>INDTEX Interfund Reimbursements</i>							
5800	Transfer for Indirect Costs						
	* to General Fund-Bldg		4,313		0		4,313
	* to General Fund-Support Services		144,627		0		144,627
	* to Risk Mgmt-Liability		960		0		960
	* to Risk Mgmt-Worker Comp		1,073		0		1,073
<i>INTCHG Internal Service Transfers</i>							
5820	Transfer for Direct Costs						
	* to General Fund-Communication		188,236		0		188,236
<i>EQTCHG Fund Equity Transfers</i>							
5810	Transfer of Resources						
	* to General Fund (Pension Obligation)		25,000		1,205		26,205
<b>Total Interfund Transfers</b>			<b>\$364,209</b>		<b>\$1,205</b>		<b>\$365,414</b>
<b><i>Contingency and Ending Balance</i></b>							
<i>CONT Contingency</i>							
5999	Contingency						
	* General contingency		2,252,513		(1,205)		2,251,308
<i>UNAPP Unappropriated Fund Balance</i>							
5990	Unappropriated Fund Balance						
	* PERS Reserve		0		0		0
	* Unappropriated Balance		0		0		0
<b>Total Contingency and Ending Balance</b>			<b>\$2,252,513</b>		<b>(\$1,205)</b>		<b>\$2,251,308</b>
<b>TOTAL REQUIREMENTS</b>		<b>5.33</b>	<b>\$9,677,622</b>	<b>0.00</b>	<b>\$0</b>	<b>5.33</b>	<b>\$9,677,622</b>

**Exhibit A  
Ordinance No. 12-1273**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
<b>Rehabilitation &amp; Enhancement Fund</b>							
<b>Resources</b>							
<b>NORTH PORTLAND ENHANCEMENT ACCOUNT</b>							
BEGBAL	Beginning Fund Balance						
	* Prior year ending balance		1,656,241		0		1,656,241
INTRST	Interest Earnings						
4700	Interest on Investments		8,281		0		8,281
<b>METRO CENTRAL ENHANCEMENT ACCOUNT</b>							
BEGBAL	Beginning Fund Balance						
	* Prior year ending balance		241,390		0		241,390
CHGSVC	Charges for Service						
4325	Rehabilitation & Enhance Fee		0		116,614		116,614
INTRST	Interest Earnings						
4700	Interest on Investments		1,207		0		1,207
EQTREV	Fund Equity Transfers						
4970	Transfer of Resources						
	* from SW Revenue Fund		116,614		(116,614)		0
<b>FOREST GROVE ACCOUNT</b>							
CHGSVC	Charges for Service						
4335	Host Fees		0		87,746		87,746
EQTREV	Fund Equity Transfers						
4970	Transfer of Resources						
	* from SW Revenue Fund		87,746		(87,746)		0
<b>OREGON CITY ACCOUNT</b>							
CHGSVC	Charges for Service						
4335	Host Fees		0		144,507		144,507
EQTREV	Fund Equity Transfers						
4970	Transfer of Resources						
	* from SW Revenue Fund		144,507		(144,507)		0
<b>TOTAL RESOURCES</b>			<b>\$2,255,986</b>		<b>\$0</b>		<b>\$2,255,986</b>

**Exhibit A**  
**Ordinance No. 12-1273**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
<b>Risk Management Fund</b>							
<b>Expenditures</b>							
<b>Total Materials &amp; Services</b>			<b>\$2,815,266</b>		<b>\$0</b>		<b>\$2,815,266</b>
<b><i>Interfund Transfers</i></b>							
<i>EQTCHG</i>	<i>Fund Equity Transfers</i>						
5810	Transfer of Resources						
	* to MERC Fund		114,822		0		114,822
	* to Natural Areas Fund		13,176		0		13,176
	* to Oregon Zoo Bond Fund		3,735		0		3,735
	* to Solid Waste Revenue Fund		85,880		0		85,880
	* to General Fund		657,347		250		657,597
<b>Total Interfund Transfers</b>			<b>\$874,960</b>		<b>\$250</b>		<b>\$875,210</b>
<b><i>Contingency and Ending Balance</i></b>							
<i>CONT</i>	<i>Contingency</i>						
5999	Contingency						
	* General contingency		382,930		(250)		382,680
<i>UNAPP</i>	<i>Unappropriated Fund Balance</i>						
5990	Unappropriated Fund Balance						
	* Undesignated		660,904		0		660,904
	* Health & Welfare		102,180		0		102,180
<b>Total Contingency and Ending Balance</b>			<b>\$1,146,014</b>		<b>(\$250)</b>		<b>\$1,145,764</b>
<b>TOTAL REQUIREMENTS</b>		<b>0.00</b>	<b>\$4,836,240</b>	<b>0.00</b>	<b>\$0</b>	<b>0.00</b>	<b>\$4,836,240</b>

**Exhibit A  
Ordinance No. 12-1273**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
<b>Solid Waste Revenue Fund</b>							
<b>Resources</b>							
<i>Resources</i>							
BEGBAL	Beginning Fund Balance						
	* St. Johns Landfill Closure Account		5,115,105		0		5,115,105
	* Renewal and Replacement		8,749,561		0		8,749,561
	* Rate Stabilization Reserve Account		6,086,773		0		6,086,773
	* General Account - Working Capital		7,759,668		0		7,759,668
	* General Account - Capital Reserve		5,866,000		0		5,866,000
	* General Account (EIL Reserve - GASB 49)		5,225,000		0		5,225,000
	* Prior year PERS Reserve		1,112,000		0		1,112,000
GRANTS	Grants						
4105	Federal Grants - Indirect		317,660		0		317,660
CHGSVC	Charges for Service						
4180	Contract & Professional Service		10,000		0		10,000
4210	Documents and Publications		950		0		950
4230	Product Sales		989,750		0		989,750
4300	Disposal Fees		27,416,784		0		27,416,784
4305	Regional System Fee		19,579,416		0		19,579,416
4325	Rehabilitation & Enhance Fee		116,614		(116,614)		0
4330	Transaction Fee		2,972,225		0		2,972,225
4335	Host Fees		232,253		(232,253)		0
4340	Tire Disposal Fee		4,000		0		4,000
4342	Organics Fee		883,912		0		883,912
4345	Yard Debris Disposal Fee		366,479		0		366,479
4350	Orphan Site Account Fee		61,391		0		61,391
4355	DEQ Promotion Fee		524,188		0		524,188
4360	Refrigeration Unit Disposal Fee		30,000		0		30,000
4365	H2W Disposal Fee		236,500		0		236,500
4369	Paintcare Revenue		1,110,000		0		1,110,000
4370	Conditionally Exempt Gen. Fees		100,000		0		100,000
4410	Franchise Fees		15,000		0		15,000
4420	Natural Gas Recovery Revenue		35,000		0		35,000
INTRST	Interest Earnings						
4700	Interest on Investments		196,526		0		196,526
MISCRV	Miscellaneous Revenue						
4170	Fines and Forfeits		5,000		0		5,000
4890	Miscellaneous Revenue		28,000		0		28,000
EQTREV	Fund Equity Transfers						
4970	Transfer of Resources						
	* from General Fund		148,458		0		148,458
	* from Risk Management Fund		85,880		0		85,880
INTSRV	Internal Service Transfers						
4980	Transfer for Direct Costs				0		
	* from Rehab. & Enhancement Fund		33,287		0		33,287
<b>TOTAL RESOURCES</b>			<b>\$95,413,380</b>		<b>(\$348,867)</b>		<b>\$95,064,513</b>



**Exhibit A  
Ordinance No. 12-1273**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
<b>Solid Waste Revenue Fund</b>							
<b>Operating Account - Parks &amp; Environmental Services</b>							
<b>Total Personal Services</b>		<b>59.05</b>	<b>\$5,889,666</b>	<b>-</b>	<b>\$0</b>	<b>59.05</b>	<b>\$5,889,666</b>
<b><i>Materials &amp; Services</i></b>							
<i>GOODS</i>	<i>Goods</i>						
5201	Office Supplies		20,997		0		20,997
5205	Operating Supplies		634,121		0		634,121
5210	Subscriptions and Dues		4,542		0		4,542
5214	Fuels and Lubricants		25,785		0		25,785
5213	Fuels - Waste Transport		2,899,300		0		2,899,300
5215	Maintenance & Repairs Supplies		180,206		0		180,206
5225	Retail		115,000		0		115,000
<i>SVCS</i>	<i>Services</i>						
5240	Contracted Professional Svcs		1,251,368		0		1,251,368
5251	Utility Services		215,371		0		215,371
5255	Cleaning Services		20,520		0		20,520
5260	Maintenance & Repair Services		399,693		0		399,693
5265	Rentals		139,971		0		139,971
5280	Other Purchased Services		319,717		0		319,717
5293	Disposal - Landfill		10,012,322		0		10,012,322
5294	Special Waste Disposal		1,237,370		0		1,237,370
5295	Waste Transport		8,090,236		0		8,090,236
5296	Transfer Station Operations		7,878,174		0		7,878,174
5297	Organics Processing		0		3,600,000		3,600,000
<i>IGEXP</i>	<i>Intergov't Expenditures</i>						
5300	Payments to Other Agencies		450,626		0		450,626
5310	Taxes (Non-Payroll)		300		0		300
<i>OTHEXP</i>	<i>Other Expenditures</i>						
5450	Travel		22,000		0		22,000
5455	Staff Development		47,162		0		47,162
<b>Total Materials &amp; Services</b>			<b>\$33,964,781</b>		<b>\$3,600,000</b>		<b>\$37,564,781</b>
<b>TOTAL REQUIREMENTS</b>		<b>59.05</b>	<b>\$39,854,447</b>	<b>-</b>	<b>\$3,600,000</b>	<b>59.05</b>	<b>\$43,454,447</b>

**Exhibit A  
Ordinance No. 12-1273**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
<b>Solid Waste Revenue Fund</b>							
<b>General Expenses</b>							
<b><i>Interfund Transfers</i></b>							
<i>INDTEX</i>	<i>Interfund Reimbursements</i>						
5800	Transfer for Indirect Costs						
	* to General Fund-Bldg		231,822		0		231,822
	* to General Fund-Support Services		3,424,840		0		3,424,840
	* to General Fund		428,419		0		428,419
	* to Risk Mgmt Fund-Liability		122,539		0		122,539
	* to Risk Mgmt Fund-Worker Comp		155,616		0		155,616
<i>INTCHG</i>	<i>Internal Service Transfers</i>						
5820	Transfer for Direct Costs						
	* to General Fund-Planning		409,710		0		409,710
	* to General Fund-Regional Parks		3,647		0		3,647
	* to General Fund-General Gov't		410,582		27,770		438,352
	* to General Fund-Support Services		75,724		0		75,724
	* to General Fund-SUS Education/Climate Chang		34,253		0		34,253
	* to General Fund-PES Finance		350,982		0		350,982
	* to General Fund-PES Administration		487,581		0		487,581
	* to General Fund-SUS Administration		276,307		0		276,307
	* to Risk Management Fund		62,686		0		62,686
<i>EQTCHG</i>	<i>Fund Equity Transfers</i>						
5810	Transfer of Resources						
	* to General Renewal & Replacement Fund		173,163		0		173,163
	* to General Fund (General)		1,112,000		11,239		1,123,239
	* to Rehab. & Enhancement Fund		348,867		(348,867)		0
<b>Total Interfund Transfers</b>			<b>\$8,108,738</b>		<b>(\$309,858)</b>		<b>\$7,798,880</b>
<b><i>Contingency and Ending Balance</i></b>							
<i>CONT</i>	<i>Contingency</i>						
5999	Contingency						
	* Operating Account (Operating Contingency)		2,000,000		(1,039,009)		960,991
	* Landfill Closure Account		3,966,181		0		3,966,181
	* Renewal & Replacement Account		8,622,564		(2,600,000)		6,022,564
<i>UNAPP</i>	<i>Unappropriated Fund Balance</i>						
5990	Unappropriated Fund Balance						
	* General Account (Working Capital)		5,759,668		0		5,759,668
	* General Account (EIL Reserve - GASB 49)		5,225,000		0		5,225,000
	* General Account (Rate Stabilization)		2,416,781		0		2,416,781
	* General Account (Capital Reserve)		5,440,000		0		5,440,000
<b>Total Contingency and Ending Balance</b>			<b>\$33,430,194</b>		<b>(\$3,639,009)</b>		<b>\$29,791,185</b>
<b>TOTAL REQUIREMENTS</b>		<b>93.55</b>	<b>\$95,413,380</b>	<b>0.00</b>	<b>(\$348,867)</b>	<b>93.55</b>	<b>\$95,064,513</b>

**Exhibit B**  
**Ordinance 12-1273**  
**Schedule of Appropriations**

	<u>Current</u> <u>Appropriation</u>	<u>Revision</u>	<u>Revised</u> <u>Appropriation</u>
<b>GENERAL FUND</b>			
Communications	2,499,577	13,625	2,513,202
Council Office	3,694,550	204,435	3,898,985
Finance & Regulatory Services	3,877,640	0	3,877,640
Human Resources	2,304,931	(121,125)	2,183,806
Information Services	3,626,474	0	3,626,474
Metro Auditor	686,452	0	686,452
Office of Metro Attorney	2,067,885	(83,310)	1,984,575
Oregon Zoo	28,541,635	0	28,541,635
Parks & Environmental Services	6,586,184	70,000	6,656,184
Planning and Development	16,561,877	0	16,561,877
Research Center	4,489,582	0	4,489,582
Sustainability Center	5,022,941	0	5,022,941
Former ORS 197.352 Claims & Judgments	100	0	100
Special Appropriations	4,566,055	0	4,566,055
Non-Departmental			
Debt Service	1,588,215	0	1,588,215
Interfund Transfers	5,017,479	0	5,017,479
Contingency	3,632,142	(70,000)	3,562,142
Unappropriated Balance	14,722,489	67,361	14,789,850
<b>Total Fund Requirements</b>	<b>\$109,486,208</b>	<b>\$80,986</b>	<b>\$109,567,194</b>
<b>MERC FUND</b>			
MERC	41,875,029	0	41,875,029
Non-Departmental			
Interfund Transfers	6,142,766	20,114	6,162,880
Contingency	7,101,876	(20,114)	7,081,762
Unappropriated Balance	13,744,936	0	13,744,936
<b>Total Fund Requirements</b>	<b>\$68,864,607</b>	<b>\$0</b>	<b>\$68,864,607</b>
<b>NATURAL AREAS FUND</b>			
Sustainability Center	34,664,133	0	34,664,133
Non-Departmental			
Interfund Transfers	1,773,222	6,783	1,780,005
Contingency	1,340,396	(6,783)	1,333,613
<b>Total Fund Requirements</b>	<b>\$37,777,751</b>	<b>\$0</b>	<b>\$37,777,751</b>
<b>OREGON ZOO INFRASTRUCTURE AND ANIMAL WELFARE FUND</b>			
Oregon Zoo	7,060,900	0	7,060,900
Non-Departmental			
Interfund Transfers	364,209	1,205	365,414
Contingency	2,252,513	(1,205)	2,251,308
<b>Total Fund Requirements</b>	<b>\$9,677,622</b>	<b>\$0</b>	<b>\$9,677,622</b>

**Exhibit B**  
**Ordinance 12-1273**  
**Schedule of Appropriations**

	<u>Current</u> <u>Appropriation</u>	<u>Revision</u>	<u>Revised</u> <u>Appropriation</u>
<b>RISK MANAGEMENT FUND</b>			
Finance & Regulatory Services	2,815,266	0	2,815,266
Non-Departmental			
Interfund Transfers	874,960	250	875,210
Contingency	382,930	(250)	382,680
Unappropriated Balance	763,084	0	763,084
<b>Total Fund Requirements</b>	<b>\$4,836,240</b>	<b>\$0</b>	<b>\$4,836,240</b>
<b>SOLID WASTE REVENUE FUND</b>			
Operating Account			
Finance & Regulatory Services	2,113,476	0	2,113,476
Sustainability Center	8,102,025	0	8,102,025
Parks & Environmental Services	39,854,447	3,600,000	43,454,447
Subtotal	50,069,948	3,600,000	53,669,948
Landfill Closure Account			
Parks & Environmental Services	1,209,500	0	1,209,500
Subtotal	1,209,500	0	1,209,500
Renewal and Replacement Account			
Parks & Environmental Services	865,000	0	865,000
Subtotal	865,000	0	865,000
General Account			
Parks & Environmental Services	1,730,000	0	1,730,000
Subtotal	1,730,000	0	1,730,000
General Expenses			
Interfund Transfers	8,108,738	(309,858)	7,798,880
Contingency	14,588,745	(3,639,009)	10,949,736
Subtotal	22,697,483	(3,948,867)	18,748,616
Unappropriated Balance	18,841,449	0	18,841,449
<b>Total Fund Requirements</b>	<b>\$95,413,380</b>	<b>(\$348,867)</b>	<b>\$95,064,513</b>

*All other appropriations remain as previously adopted*

## STAFF REPORT

FOR THE PURPOSE OF AMENDING THE FY 2011-12 BUDGET AND APPROPRIATIONS SCHEDULE, RECOGNIZING NEW GRANTS, DONATIONS AND OTHER CONTRIBUTIONS AND AMENDING THE FY 2011-12 THROUGH FY FY 2015-16 CAPITAL IMPROVEMENT PLAN

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Date: March 2, 2012

Prepared by: Kathy Rutkowski 503-797-1630

### BACKGROUND

Following the second quarter financial review, several additional items have been identified that necessitate amendment to the budget. Each action is discussed separately below.

#### Implementation of GASB Statement 54

With the recent implementation of GASB Statement 54, Metro staff determined that community enhancement fees should be received directly into the Rehabilitation and Enhancement Fund, a Special Revenue Fund type, under the new and more specific requirements of this standard. Currently the fees are collected and reported in the Solid Waste Fund and subsequently transferred to the Rehabilitation and Enhancement Fund. This treats the fees as transfers rather than as direct revenues. Making this change will permit Metro to report the Rehabilitation and Enhancement Fund in accordance with generally accepted accounting principles.

This action eliminates approximately \$350,000 in Rehabilitation and Enhancement Fees and Host Fees from the Solid Waste Revenue Fund and instead records them as direct revenue to the Rehabilitation and Enhancement Fund. It also eliminates the associated transfer from the Solid Waste Revenue Fund to the Rehabilitation and Enhancement Fund shown as an expenditure in the Solid Waste Revenue Fund and as a revenue in the Rehabilitation and Enhancement Fund.

#### Diversity Program Coordinator

The 2011-12 budget includes a new 1.0 FTE Diversity Program Coordinator position in Human Resources, to support Metro's diversity goals. When the new Chief Operating Officer began last fall, she decided to move this position into the Office of the Chief Operating Officer. This amendment moves all personnel services and materials and services associated with the diversity position from Human Resources into the Office of the COO.

#### Former Metro Attorney

The longtime Metro Attorney stepped down from that position in mid-February, but will remain at Metro until November 2012 as a Policy Advisor II in the Office of the Chief Operating Officer. His advisory work will include the Oregon Convention Center enhanced marketing plan (room block), Metro's Solid Waste Roadmap and a potential parks funding levy. With his resignation from the position the current Deputy Metro Attorney has been appointed as Metro Attorney leaving the Deputy position vacant.

This amendment moves sufficient salary and fringe appropriation from the Office of the Metro Attorney to the Office of the Chief Operating Officer to cover the remaining 4 ½ months of personnel expense. It also reduces the vacant Deputy Metro Attorney by 0.38 FTE to reflect the transfer of the position. The costs of the Policy Advisor II are estimated to be borne equally by the funds that are receiving his services in the form of direct transfers.

Consolidation of PERS Reserve in the General Fund

For several years, savings from PERS rate reductions were set aside in a separate PERS reserve anticipating rate increases beginning July 1, 2011. During the FY 2011-12 budget, the Council approved a proposal to use the PERS Reserve to pay all or a portion of the pension debt service obligation for a period of 5 years. This relieves departments of the PERS Bond Recovery charge in whole or part through FY 2016-17. As part of the proposal, all PERS reserves accumulated in other funds were consolidated in the General Fund. The FY 2011-12 included estimates of the accumulated balances through June 30, 2011. Actual balances recorded at year-end varied slightly. This action seeks to amend the transfers to the actual balances, increasing or decreasing as necessary. All adjustments were made to or from the contingency in each fund.

	<b>Budget</b>	<b>Actual</b>	<b>Difference</b>
Zoo Bond Fund	25,000	26,205	1,205
Natural Areas Fund	47,000	53,783	6,783
Solid Waste Fund	1,112,000	1,123,239	11,239
MERC Fund - Expo Center	176,464	174,890	(1,574)
MERC Fund - OCC	1,004,018	1,001,253	(2,765)
MERC Fund - PCPA	603,584	602,698	(886)
MERC Fund - Admin	174,739	172,308	(2,431)
Risk Management Fund	30,000	30,250	250
<b>Total transfers</b>	<b>\$3,172,805</b>	<b>\$3,184,626</b>	<b>\$11,821</b>

OMSI Payment

Communications will receive \$13,625 in funding during FY 2011-12 for staff work conducted for OMSI on a National Science Foundation (NSF) grant project. Under the grant, OMSI and partners, including Metro, are developing a bilingual (English and Spanish) exhibit exploring the science of sustainability and the impacts of everyday choices. The project will launch in summer 2012 in OMSI's Earth Hall, and events will last through 2014. This action recognizes the dedicated funding and provides additional personal services appropriation for staff work conducted on this project.

Oxbow Park Remediation

As a result of the recent erosion damage at Oxbow Park, Parks and Environmental Services has and will continue to incur during the fiscal year significant additional expenses. The accelerating bank erosion in the campground required staff to remove a restroom and shower facility and a large section of the access road. These expenses were not anticipated in the current fiscal year budget. Currently, the campground is closed, but it is planned to reopen it for the summer camping season. In order to reopen the campground, additional expenditures are necessary for temporary safety and interpretive signage, fencing and other access controls for public safety, and other miscellaneous expenses. Staff also needs to contract for technical expertise including geotechnical engineering and hydrology to determine how best to protect public safety and plan for the future of the campground at the park. This action requests \$70,000 from the General Fund contingency for these expenses.

The expenses are projected as follows:

<b>ACTIVITY</b>	<b>EXPENSE</b>
Emergency Actions (Demolition, signage, consulting)	\$34,000
<i>Changes for 2012 Camping Season</i>	
Camping and Facility Changes (for Summer 2012)	8,000
Signage and Public Information	6,500
Safety and Access Control	6,500
Geotechnical and other scientific consulting (Phase I)	15,000
Total	\$70,000

*FTE Correction in Natural Areas Bond Fund*

In the FY 2011-12 budget, one Program Supervisor II position was reduced from 1.0 FTE to .75 FTE. Due to internal reorganizations and work assignments, staff is requesting to add .05 FTE to increase the position to .80 FTE. The additional hours are necessary for the position's work on the Natural Areas Bond Capital Grants and other bond program related work. No increase in appropriation authority is needed. The position is currently allocated between the General Fund and the Natural Areas Bond Fund. The .05 FTE will be added to the portion of the position that is currently allocated to the Natural Areas Bond Fund.

*Residential Organics Program*

On October 31, 2011, the City of Portland started a food waste collection program for residents of the City. This residential organics program was not anticipated in the FY 2011-12 adopted budget and is expected to increase the volume of organic materials handled at Metro's two transfer stations this fiscal year by approximately 64,000 more tons than projected for the budget. Previously, most of this yard debris material was hauled directly to processing facilities around the region for composting. Now that food is mixed with the yard waste, these facilities can no longer accept the material. Currently all of it is coming to Metro's transfer stations.

As a result, Metro has collected additional revenues and incurred additional costs to pay for the transportation and handling of this additional material. This budget amendment transfers current appropriation authority from the Solid Waste Fund contingency account to the operating account in order to cover an estimated \$3,600,000 in additional costs. A tip fee is charged on the organic waste and the revenue to pay for these additional costs is collected on the additional residential organics waste that arrives at the transfer stations.

*Information Services Data Center (CIP Amendment only)*

The 2012 renewal and replacement budget for Information Services includes \$108,000 for replacement of a main and backup air conditioning unit in the MRC server room as well as a server-grade UPS (uninterruptable power supply) which delivers short-term battery backup in the event of a power failure. Each of these items is an essential component for any server room. They are being combined into one project to create a more strategic approach to addressing Metro's server environment needs by allowing additional engineering options that would not be possible if each system was replaced with an exact replacement part.

In combining these smaller projects into a single project, the resulting project now meets the threshold of a Capital Improvement Project as defined in Metro's Capital Asset Management policies. This request is to amend the FY 2011-12 through FY 2015-16 Capital Improvement Plan combining three existing renewal and replacement projects to this single project totaling \$108,160. The three smaller projects will be eliminated by this action.

Information Services Data Storage (CIP Amendment only)

Over the last few years, Metro has experienced an increasing need for data storage space. During that time, advancements have been made in storage systems which provide faster access to critical data and better utilization of expensive, high-availability storage as well as more cost-effective storage for lower-priority systems. Storage systems have also become more scalable, meaning you can simply add to them when you need more space.

Information Services is seeking a strategic solution that can help the agency better manage its electronic storage needs. Replacement systems are already in the 2012 renewal and replacement budget. There are currently nine, main storage devices across the agency, from five different manufacturers. The three systems in the current R&R budget are being pooled into a single project in order to set a storage system standard. We anticipate that this standard would save money by better matching the technology to our need and provide better and more consistent management over the data, as well as a plan for future growth.

This request is to amend the FY 2011-12 through FY 2015-16 Capital Improvement Plan combining seven existing renewal and replacement projects to this single project totaling \$245,243. The seven smaller projects will be eliminated by this action. At a later time, a new capital request may be made to enable IS to respond to the ongoing need for increasing amounts of storage.

## ANALYSIS/INFORMATION

1. **Known Opposition:** None known.
2. **Legal Antecedents:** ORS 294.450(1) provides for transfers of appropriations within a fund, including transfers from contingency, if such transfers are authorized by official resolution or ordinance of the governing body for the local jurisdiction. ORS 294.450(3) provides for transfers of appropriations or of appropriations and a like amount of budget resources between funds of the municipal corporation when authorized by an official resolution or ordinance of the governing body.
3. **Anticipated Effects:** This action provides for changes in operations as described above; implements several housekeeping or technical changes; recognizes additional contributions; provides for additional expenditure appropriation to meet public safety needs at Oxbow Regional Park and increased transportation and handling charges related to residential organics.
4. **Budget Impacts:** This action has the following impact on the FY 2011-12 budget:
  - Implements GASB Statement 54 recognizing Rehabilitation and Enhancement Fees and Host Fees as direct revenue to the Rehabilitation and Enhancement Fund rather than transfers from the Solid Waste Revenue Fund.



- Transfers the Diversity Program Coordinator and associated materials & services from Human Resources to the Office of the Chief Operating Officer in the Council Office.
- Recognizes the approved transition plan for the former Metro Attorney, transferring sufficient appropriation and FTE to the Office of the COO in the Council Office to provide for a Policy Advisor II position for the remaining of the fiscal year.
- Adjusts transfers of the accumulated PERS Reserve to the General Fund to actual amount as of July 1, 2011.
- Recognizes a small grant payment from OMSI to assist in developing a bilingual (English and Spanish) exhibit exploring the science of sustainability and the impacts of everyday choices.
- Transfers \$70,000 from the General Fund Contingency to Parks and Environmental Services to provide for public safety needs after recent erosion incidents of the river bank, and to help plan for the future of the campground at the park.
- Provides for minor FTE increase in the Natural Areas Bond Fund.
- Transfers \$3.6 million from the Solid Waste Revenue Fund to cover the additional transportation and handling costs incurred from the City of Portland residential organics program.
- Amends the FY 2011-12 through FY 2015-16 Capital Improvement Plan for two information services projects .

#### **RECOMMENDED ACTION**

The Chief Operating Office recommends adoption of this Ordinance.

Agenda Item No. 6.1

**Resolution No. 12-4337**, For the Purpose of Naming the Metro  
Regional Center's North Plaza After Former Metro Employee  
Steve Apotheker.

*Resolutions*

Metro Council Meeting  
Thursday, March 22, 2012  
Metro, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF NAMING THE METRO ) RESOLUTION NO. 12-4337  
REGIONAL CENTER’S NORTH PLAZA AFTER )  
FORMER METRO EMPLOYEE STEVE ) Introduced by Chief Operating Officer Martha  
APOTHEKER ) Bennett, with the concurrence of Council  
) President Tom Hughes

WHEREAS, Steve Apotheker, one of Oregon’s and the country’s top recycling experts, an environmental advocate and a visionary, died in June 2011; and

WHEREAS, Steve Apotheker dedicated his career to resource conservation efforts, from establishing recycling centers in Illinois to serving as a senior solid waste planner at Metro; and

WHEREAS, during his 13-year career at Metro, Steve Apotheker worked tirelessly to design and improve the region’s and state’s waste reduction programs; and

WHEREAS, Steve Apotheker’s dedication to sustainability and the reduction of greenhouse gas emissions led him to establish Metro’s Green Team and ENACT team for the purpose of improving the efficiency and sustainability of Metro’s internal operations; and

WHEREAS, Steve Apotheker’s work with the Metro Green Team and ENACT team led directly to the development and Metro Council approval of Metro’s first sustainability plan for its operations; and

WHEREAS, Steve Apotheker was a state and national leader in the field of waste reduction and materials management, recognized with the Association of Oregon Recyclers’ Individual Recycler of the Year Award and the National Recycling Coalition’s Recycler of the Year and Lifetime Achievement awards; and

WHEREAS, Steve Apotheker, during his time in public service, earned a reputation as a groundbreaker, educator, genius at data analysis and a person who inspired his coworkers and others around him to think more deeply about humanity’s impact on the earth and the actions that could be taken to reduce that impact; and

WHEREAS, had he had the opportunity, Steve Apotheker would have been relentless in helping all of us find a path toward a more sustainable future and we are grateful to have had him at Metro for the time we did; now therefore

BE IT RESOLVED that the Metro Council, consistent with the provisions of Metro Code 2.16, names the north plaza of the Metro Regional Center as the “Steve Apotheker Plaza.”

ADOPTED by the Metro Council this \_\_\_\_ day of \_\_\_\_\_ 2012.

\_\_\_\_\_  
Tom Hughes, Council President

Approved as to Form:

\_\_\_\_\_  
Alison Kean Campbell, Metro Attorney

## **STAFF REPORT**

### **IN CONSIDERATION OF RESOLUTION NO. 12-4337, FOR THE PURPOSE OF NAMING THE METRO REGIONAL CENTER'S NORTH PLAZA AFTER FORMER METRO EMPLOYEE STEVE APOTHEKER**

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Date: March 22, 2012

Prepared by: Jim Desmond, 503-797-1914  
Marta McGuire, 503-797-1806

#### **BACKGROUND**

Steve Apotheker, one of Oregon's and the country's top recycling experts, visionary and exceptional Metro employee, died in June 2011. He was 58 and is survived by his wife, Diane Meisenhelter and daughter, Jesse Meisenhelter.

Steve dedicated his career to resource conservation and waste prevention efforts. From establishing recycling centers in Illinois to serving as a senior policy analyst at Metro, he earned a reputation as a scholar of recycling and steward of the environment. He was an influential policy analyst and expert on an extensive array of issues, from collection programs to processing facilities to material markets.

During his 13-year career at Metro, he worked tirelessly to design and improve the region's and the state's recycling programs. He was instrumental in the region's efforts to increase business recycling, capture more construction debris and compost food waste. He also pushed Metro to be a leader within its own operations and pioneered the establishment of "green teams" and internal sustainability initiatives across Metro.

Steve's influence went beyond Metro and can be felt at the state and national levels. His service and contributions to the state Bottle Bill Task Force guided the legislature in historic modifications to the Bottle Bill in 2011. His analytical skills and range and depth of knowledge made him an invaluable resource.

Steve died after a valiant six-year battle with Multiple Systems Atrophy. Steve's disease affected his speech, his movement and ability to walk, but not his dedication to his work. His last day on the job at Metro was the day before he was admitted to intensive care. Given the opportunity, Steve would have been relentless in helping Metro find a path toward a more sustainable future.

Metro is better off today because of Steve's leadership, work and dedication. The naming of the North Plaza at the Metro Regional Center after him will honor his dedication to Metro's mission, lifelong commitment to the environment, exceptional service to the state and the impact he had locally, regionally and nationally.

#### **ANALYSIS/INFORMATION**

##### **1. Known Opposition**

None

##### **2. Legal Antecedents**

This resolution is consistent with the provisions of Metro Code 2.16 Naming Facilities, which states a Metro facility may be named for a deceased person in recognition of the person's significant contribution of effort in support of the agency's mission.

##### **3. Anticipated Effects**

The Metro Regional Center (MRC) north plaza will be named "Steve Apotheker Plaza."

#### **4. Budget Impacts**

To commemorate the naming of the plaza, the Chief Operating Officer recommends the installation of a modest piece of artwork made from reused or recycled materials. In coordination with the COO and the Metro Regional Center building operations staff, the Sustainability Center would oversee and pay for the contract to create the artwork, which is not expected to cost more than \$2,500.

#### **RECOMMENDED ACTION**

Recommend adoption of Resolution No. 12-4337

Agenda Item No. 7.1

**Resolution No. 12-4336**, Resolution of Metro Council, Acting as the Metro Contract Review Board, For the Purpose of Approving a Sole Source Contract for the Procurement of an Independent Cemetery Operations Consultant.

*Contract Review Board*

Metro Council Meeting  
Thursday, March 22, 2012  
Metro, Council Chamber

BEFORE THE METRO COUNCIL CONTRACT REVIEW BOARD

RESOLUTION OF METRO COUNCIL, ACTING	)	RESOLUTION NO. 12-4336
AS THE METRO CONTRACT REVIEW BOARD,	)	
FOR THE PURPOSE OF APPROVING A SOLE	)	
SOURCE CONTRACT FOR THE PROCUREMENT	)	Introduced by Chief Operating Officer
OF AN INDEPENDENT CEMETERY	)	Martha J. Bennett, with the concurrence of
OPERATIONS CONSULTANT	)	Council President Tom Hughes

WHEREAS, pursuant to ORS 279A.060 and Metro Code 2.04.010, the Metro Council is designated as the Metro Contract Review Board for the agency; and

WHEREAS, Metro owns and operates a system of 14 public Pioneer Cemeteries, conducting an estimated 130 interments a year; and

WHEREAS, the Metro Pioneer Cemeteries Program has, over time, refined and strengthened its interment verification, grave opening and cemetery soil handling procedures, and has recently established more vigorous policies and procedures governing the inadvertent discovery of human remains and funerary objects; and

WHEREAS, it has been determined that an independent cemetery consultant is now needed to perform a best industry practices review of Metro's excavation, interment and soil management policies and procedures; and

WHEREAS, the conduct of cemetery operations are typically confidential and trade secret, and a unique and distinct base of knowledge is required in order to discern best management practices, and the Chief Operating Officer has determined that Paul Elvig is a nationally recognized provider of this type of service; and

WHEREAS, Mr. Elvig possesses over 22 years of cemetery operations experience, in addition to 12 years of service with the State of Washington Cemetery Board as a Licensing and Compliance Manager. Working with cemeteries throughout the country, Mr. Elvig has developed a high level of expertise that would make it impractical to procure these services competitively; and

WHEREAS, the Metro Procurement Officer believes that specialized experience and unique qualifications of this consultant warrants the use of a sole source contract, that it would be impractical to conduct a competitive solicitation process to procure a consultant having such expertise; and that such action is in accordance with the Oregon state law providing for sole source procurements (ORS 279B.075) and Metro Code Section 2.04.062; and

WHEREAS, Metro Code Section 2.04.062 provides that Metro may award a contract for services without competition when the Metro Contract Review Board determines that the needed services are available from only one source; now therefore

BE IT RESOLVED that the Metro Council acting as the Metro Contract Review Board authorizes the Metro Chief Operating Officer to negotiate and execute a sole source contract with Paul Elvig for the purpose of providing a best practices review of Metro's cemetery interment and soil a management policies and procedures.

ADOPTED by the Metro Council Contract Review Board this \_\_\_\_ day of March 2012.

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Tom Hughes, Council President

Approved as to Form:

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Alison Kean Campbell, Metro Attorney



## STAFF REPORT

in consideration of RESOLUTION no. 12-4336, FOR THE PURPOSE OF APPROVING A SOLE SOURCE CONTRACT FOR THE PROCUREMENT OF A CEMETERY OPERATIONS CONSULTANT

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Date: March 13, 2012

Prepared by:  
Rachel Fox, 797-1856  
Tim Collier, 797-1913

## BACKGROUND

Metro operates a system of 14 Pioneer Cemeteries, conducting roughly 130 interments annually. Metro Pioneer Cemeteries staff, Parks and Environmental Services staff and the Office of the Metro Attorney have, over time, refined and strengthened the interment verification, grave opening and cemetery soil handling procedures that Metro inherited from Multnomah County when it received the Pioneer Cemeteries in 1995. Beginning in 2011, after the discovery of human remains at Metro's soil storage site in Fairview, Metro Pioneer Cemeteries established more vigorous policies and procedural safeguards governing the inadvertent discovery of human remains and funerary objects, and created an interment verification and soil management plan. This plan was presented to Metro's Chief Operating Officer in December, 2011, and after contract negotiations with the grave opening and closing contractor, Suhor Industries, in January 2012, the soil management plan went into effect February 1, 2012.

Metro senior leadership requested that an independent consultant examine Metro's interment verification and soil management practices. Metro requests that the consultant advise Metro if these practices meet or exceed industry best practices and make suggestions for improvements that are compatible with sustainable operations.

Staff has made inquiry throughout the cemetery and funeral industry and determined that Paul Elvig of Everett, WA has the required knowledge and expertise to perform this work. Furthermore, Metro's Chief Operating Officer has determined that he is uniquely qualified to perform the service required by this contract. Therefore, it is recommended that a sole source contract be awarded without a competitive RFP process. Mr. Elvig's unique qualifications are noted in Attachment 1. The Metro Procurement Officer believes that the specialized and unique function of this consultant warrants the use of a sole source contract, and that such action is in accordance with Metro Code Section 2.04.02 and the Oregon Public Contracting Code, ORS Chapter 279B.075, providing for sole source procurements.

## ANALYSIS/INFORMATION

1. **Known Opposition** None known.
2. **Legal Antecedents** Metro Code 2.04.062, 2.04.010, ORS 279A.060, ORS 279B.075.
3. **Anticipated Effects** Procurement process will be expedited, allowing for a contract to be executed promptly.

4. **Budget Impacts** The cost of this service is not anticipated to exceed \$20,000. Budget authority for this action will be approved with the adoption of Resolution 12-4336.

#### **RECOMMENDED ACTION**

It is recommended that the Metro Council, acting as Public Contract Review Board, approve the entry into a sole source contract with Paul Elvig.

## **PAUL M. ELVIG**

Evergreen-Washelli Memorial Park and Funeral Home (*retired*)  
Seattle, Washington

(Home) 425-743-2127 (cell) 425-361-5332

[paul@elvig.org](mailto:paul@elvig.org)

### **Professional Background**

1990 to date **Evergreen-Washelli Memorial Park and Funeral Home – Seattle, WA**

- 1,500 case per year funeral home
- 1,400 burials per year endowment care cemetery
- 850 case per year crematory
- 95-102 employee facility

Chairman, Endowment Care Board of Trustees *2004 to date*

General Manager, *2005-07 (Retired 12-31-2007)*

President & CEO, *2004-05*

Vice President of Administration, *1990-2004*

Portfolios:

- Corporate development
- At-need cemetery and funeral sales and service
- Governmental and legal affairs
- Employee & customer dispute resolution

1978 - 1990 **Department of Licensing – Program Manager**

Portfolios

- Cemetery Board, *1978-90*
  - o Brought criminal and administrative charges against offenders – jail time for two
  - o Re-wrote and organized Revised Code of Washington, submitted same to the 1987 session of the Legislature – passed & signed intact by Governor Gardner
  - o Audited all state endowment care and pre-arrangement trust funds
  - o Investigated and processed all consumer complaints
- Funeral Directors and Embalmers Board, *1988-90*
  - o Licensed all funeral directors and embalmers
  - o Issued all establishment and pre-arrangement sales licenses
  - o Redesigned the state board examination tests
  - o Developed board Washington Administrative Codes regarding standards
  - o Brought unprofessional conduct charges against licensed parties (4)

1969 – 1987\*

**Greenacres Memorial Park and Funeral Home, Ferndale, WA**

Manager

- 300 case per year endowment care cemetery
- 150 case per year funeral home

\* (*1978-87 duties split between State Cemetery Board and Greenacres*)

### **Trade and Regulation Association Activities**

- 1990 - Date                    **International Cemetery, Crematory and Funeral Association (ICCFA a 7,700 member trade association)**
- President 2007-08
  - Vice President – Products and Services 1 yr – Industry Relations 3-yrs – Membership 2-years
  - Industry spokesperson before the House Energy & Commerce Subcommittee January 2010 re: H.R. 3655, the Bereaved Consumers Bill of Rights Act
  - Industry spokesperson before the House Veterans Affairs Committee -- hearing – National Cemeteries and Memorialization – April 2005 - Washington DC
  - Industry spokesperson before the Senate Special Committee on Aging – hearing April 2000 – Washington DC
  - Industry spokesperson before the Federal Trade Commission – November 1999 and June 2002 – Washington DC
- 1991 - 1999                    **Washington State Cemetery and Funeral Association – Board of Directors**
- President 1994-96
  - Testimony before various committees of the Washington and Idaho legislatures ... licensing/oversight issues
  - Revised Code Of Washington review and legislative recommendation
- 1986 – 1990                    **National Cemetery Regulators Association**  
President 1987-89  
Federal Trade Commission hearings representative 1988
- Conducted nationwide pre-paid, out-of-state stored merchandise on-sight audits (Minnesota, South Carolina and Arkansas)
- 1969 – date                    **Unique Funeral/Cemetery industry activities**
- Supervised over 40 “permitted” disinterments in Whatcom County
  - Re-constructed destroyed cemetery records from the ‘50s & ‘60s for bankruptcy proceedings
  - Directed by a federal court to oversee 100 plus disinterments at Highland Memorial Park – Everett – bankruptcy proceedings
  - 1981 & 1996 “Person-of-the-Year” recipient – Washington State Cemetery and Funeral Association
- Community Activities**
- President – Camas-Washougal Jaycees 1967-8
  - President Bellingham Jaycees 1974-5
  - Whatcom County Rural Library Board 1980-1988 (Chair 1984-88)
  - Chair – Whatcom County Republicans 1975-1978
  - Chair – Snohomish County Republicans 1992-1996
  - Presidential Electoral College 1976 and 1980
  - Toastmasters
  - Church activities ... Adult Sunday School ... Former Elder

## **PUBLISHED ARTICLES**

ICCFA Magazine (International Cemetery, Cremation and Funeral Association) – August-September 2011: *My 90 minutes with '60 Minutes'*

ICCFA Magazine – July 2011: *New cemetery for a forgotten people*

ICCFA Magazine – February 2010: *A day in D. C. Looking for friends in Washington*

ICCFA Magazine – January 2010: *How a librarian hired by funeral directors learned to run a cemetery*

The Insider – Washington Cemetery & Funeral Association – January 2010 *“Mr. Elvig goes to Washington ... again”*

Encyclopedia of Death & the Human Experience - Burial Laws (Contributor within 2-volume encyclopedia by Clifton Bryant & Dennis Peck editors) - Sage Reference Publications – 2009

ICCFA Magazine - August-September 2009: *Take care with people wanting to ‘cash out’ graves, prearrangements*

ICCFA Magazine – June 2009: *When a memory trumped the rules*

The Insider – Washington Cemetery & Funeral Association – January 2009: *“I Have This Choice Lot”*

The Insider – Washington Cemetery & Funeral Association - December 2008: *Driftwood –Breaking the rules*

ICCFA Magazine – August-September 2008: *Capitol Hill Diary ... AK-47s, Congressional offices and sore feet*

ICCFA Magazine – March-April 2008: *Former librarian knows where he’ll be ‘filed’*

ICCFA Magazine – March-April 2008: *President’s letter: Planning for the ICCFA’s future*

ICCFA Magazine – January 2008: *President’s letter: Gaining friends by association*

American Cemetery – January 2008: *ICCFA President’s State of the Industry – challenges and opportunities abound*

ICCFA Magazine – December 2007: *President’s letter: Steering the ICCFA to welcome the future*

ICCFA Magazine – November 2007: *President’s letter: Advance shopping/selling is good for all*

ICCFA Magazine – October 2007: *President’s letter: Let’s find something else to argue about*

ICCFA Magazine – August-September 2007: *President’s letter: Advice from a former state bureaucrat*

ICCFA Magazine – June 2007: *President’s letter: Seeing the convention through fresh eyes*

ICCFA Magazine – May 2007: *President’s letter: Now, that’s personal*

International Cemetery & Funeral Management – January 2005: *Betting On Success: It’s More than Luck*

International Cemetery & Funeral Management – August-September 2005: *Washington, D.C. – in and out*

International Cemetery & Funeral Management – June 2005: *Washington report (by Fells) ICFA testifies on burial benefits (on Elvig)*

International Cemetery & Funeral Management – August-September 2004: *Getting to Know You ... Getting To Know All About You*

The Insider – Washington Cemetery & Funeral Association – August 2004: *A Friend remembers Dave Daly*

International Cemetery & Funeral Management – February 2002: *Seven Steps to Building a Relationship with Your Congressional Delegation – your business will depend on it*

International Cemetery & Funeral Management – January 2000: *Washington report (by Fells) FTC Funeral Rule Workshop Provides Insights by the Participants (on Elvig)*

The Western Reporter – December 1990: *Is Your Cemetery's Growth on Target?*

The Washington State Cemetery – April 1989 – *Cemetery Board adopts Rules – Grants Authority*

Note: Paul Elvig wrote numerous articles in cemetery/funeral journals through the 1980's and 1990's ... locating copies can be difficult, but not impossible

## **CONGRESSIONAL & FEDERAL AGENCY TESTIMONY OF RECORD**

January 27, 2010 U. S. House Energy and Commerce Subcommittee on Commerce, Trade and Consumer Protection, representing the International Cemetery, Cremation and Funeral Association regarding H.R. 3655; directing the FTC to expand regulation to cemeteries and third-party sellers. Testimony is published and video recorded which is available over the web from the House Committee.

April 20, 2005 U. S. House Committee on Veteran's Affairs Subcommittee on Disability Assistance and Memorial Affairs – Represented the Funeral and Cemetery Industries regarding veteran's death benefits and memorial funding. Testimony is published and recorded available by web.

June 7, 2002 Federal Trade Commission hearing in DC on the Telemarketing Sales Rule – Represented the International Cemetery and Funeral Association in testimony, published record and recorded FTC hearing regarding the use of TSR as it relates to the industry.

April 11, 2000 US Senate Special Committee on Aging hearing held in DC – official spokesman for the ICFA – testimony both written and recorded by C-SPAN. In addition to prepared remarks, responded to US Senators questions.

November 1999 Federal Trade Commission hearing in DC regarding expansion of the Funeral Rule to Cemeteries. Official spokesman for the ICFA – testimony both written and recorded by FTC staff.

1988 Federal Trade Commission hearing held in San Francisco regarding expanding the Funeral Rule. Represented the National Regulators Association regarding state oversight.

## **Other Personal Information**

Employment Prior to Cemetery/Funeral Industry: Public Library Systems

Resides: 315 138<sup>th</sup> PL SE, Everett, WA 98208

Personal: Age 69, Married 29 years, Children ages 27 and 24

Google search will provide some photos and addition public activities

Agenda Item No. 7.2

**Deliberation on Appeal by Integrated Resource  
Management of Chief Operating Officer's Rejection of  
Initial Appeal Regarding Award of Contract for the  
Chehalem Ridge Forest Stand Management Under  
Metro Request for Proposal No. 12-1989.**

*Contract Review Board*

Metro Council Meeting  
Thursday, March 22, 2012  
Metro, Council Chamber

Materials following this page were distributed at the meeting.



 **Metro** | *Agenda*

Meeting: Metro Council  
Date: Thursday, March 22, 2012  
Time: 2 p.m.  
Place: Metro, Council Chamber

**REVISED,  
3/20/12**

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**CALL TO ORDER AND ROLL CALL**

- 1. INTRODUCTIONS**
- 2. CITIZEN COMMUNICATIONS**
- 3. PRESENTATION ON “THE NATIVE AMERICAN COMMUNITY IN MULTNOMAH COUNTY: AN UNSETTLING PROFILE” REPORT**  
**Rey Espana  
Donita Fry  
Nichole Maher  
Julia Meier**
- 4. CONSIDERATION OF THE MINUTES FOR MARCH 15, 2012**
- 5. ORDINANCES – SECOND READING**
  - 5.1 Ordinance No. 12-1272, For the Purpose of Amending Metro Code Chapter 5.01 to Repeal Provisions Related to Transfer Station Areas**  
**Harrington**

*Public Hearing*
  - 5.2 Ordinance No. 12-1273, For the Purpose of Amending the FY 2011-12 Budget and Appropriations Schedule, Recognizing New Grants, Donations and Other Contributions and Amending the FY 2011-12 through FY 2015-16 Capital Improvement Plan.**  
**Hughes**

*Public Hearing*
- 6. RESOLUTIONS**
  - 6.1 Resolution No. 12-4337, For the Purpose of Naming the Metro Regional Center's North Plaza After Former Metro Employee Steve Apotheker.**  
**Burkholder**
  - 6.2 Resolution No. 12-4339, For the Purpose of Appointing the Following Members to the Metro Policy Advisory Committee (MPAC); Maxine Fitzpatrick as Multnomah County Citizen Member, Bob Grover as Washington County Citizen Member, and Wilda Parks as Clackamas County Citizen Member.**  
**Hughes**
- 7. CONTRACT REVIEW BOARD**
  - 7.1 Resolution No. 12-4336, Resolution of Metro Council, Acting as the Metro Contract Review Board, For the Purpose of Approving a Sole Source Contract for the Procurement of an Independent Cemetery Operations Consultant.**  
**Roberts**

*Continued on back...*

- 7.2 Deliberation on Appeal by Integrated Resource Management of Chief Operating Officer’s Rejection of Initial Appeal Regarding Award of Contract for the Chehalem Ridge Forest Stand Management Under Metro Request for Proposal No. 12-1989.
- 8. **CHIEF OPERATING OFFICER COMMUNICATION**
- 9. **COUNCILOR COMMUNICATION**

**ADJOURN**

**Television schedule for March 22, 2012 Metro Council meeting**

<p><b>Clackamas, Multnomah and Washington counties, and Vancouver, WA</b>  Channel 30 – Community Access Network  <i>Web site:</i> <a href="http://www.tvctv.org">www.tvctv.org</a>  <i>Ph:</i> 503-629-8534  <i>Date:</i> Thursday, March 22</p>	<p><b>Portland</b>  Channel 30 – Portland Community Media  <i>Web site:</i> <a href="http://www.pcmtv.org">www.pcmtv.org</a>  <i>Ph:</i> 503-288-1515  <i>Date:</i> Sunday, March 25, 7:30 p.m.  <i>Date:</i> Monday, March 26, 9 a.m.</p>
<p><b>Gresham</b>  Channel 30 - MCTV  <i>Web site:</i> <a href="http://www.metroeast.org">www.metroeast.org</a>  <i>Ph:</i> 503-491-7636  <i>Date:</i> Monday, March 26, 2 p.m.</p>	<p><b>Washington County</b>  Channel 30– TVC TV  <i>Web site:</i> <a href="http://www.tvctv.org">www.tvctv.org</a>  <i>Ph:</i> 503-629-8534  <i>Date:</i> Saturday, March 24, 11 p.m.  <i>Date:</i> Sunday, March 25, 11 p.m.  <i>Date:</i> Tuesday, March 27, 6 a.m.  <i>Date:</i> Wednesday, March 28, 4 p.m.</p>
<p><b>Oregon City, Gladstone</b>  Channel 28 – Willamette Falls Television  <i>Web site:</i> <a href="http://www.wftvmedia.org/">http://www.wftvmedia.org/</a>  <i>Ph:</i> 503-650-0275  Call or visit web site for program times.</p>	<p><b>West Linn</b>  Channel 30 – Willamette Falls Television  <i>Web site:</i> <a href="http://www.wftvmedia.org/">http://www.wftvmedia.org/</a>  <i>Ph:</i> 503-650-0275  Call or visit web site for program times.</p>

**PLEASE NOTE: Show times are tentative and in some cases the entire meeting may not be shown due to length. Call or check your community access station web site to confirm program times.**

Agenda items may not be considered in the exact order. For questions about the agenda, call the Metro Council Office at 503-797-1540. Public hearings are held on all ordinances second read. Documents for the record must be submitted to the Regional Engagement Coordinator to be included in the decision record. Documents can be submitted by e-mail, fax or mail or in person to the Regional Engagement Coordinator. For additional information about testifying before the Metro Council please go to the Metro web site [www.oregonmetro.gov](http://www.oregonmetro.gov) and click on public comment opportunities. For assistance per the American Disabilities Act (ADA), dial TDD 503-797-1804 or 503-797-1540 (Council Office).



## Native Americans in Multnomah County: An Unsettling Profile

Presentation to Metro Council

March 22, 2012

Donita Fry, Portland Youth & Elders Council  
Rey Espana, Native American Youth & Family Center  
Nichole Maher, Native American Youth & Family Center  
Don Motanic, Intertribal Timber Council



1



## Coalition of Communities of Color

- The Coalition's mission is:
- To address the socioeconomic disparities, institutional racism, and inequity of services experienced by our families, children and communities
- To organize our communities for collective action resulting in social change to obtain self-determination, wellness, justice and prosperity



2

## Research Project – Community-based Participatory Research (2008-2011)

- Partnership between PSU’s School of Social Work, the Coalition of Communities of Color and Native Community
  - Depth and breadth of research findings
  - 28 systems & institutions studied
  - Approx. 60% is new research and 40% from existing studies
  - Comparisons with Seattle, USA, different points in time
- Funding from:
  - Multnomah County
  - City of Portland
  - Northwest Health Foundation
  - Kaiser Community Foundation
  - Coalition of Communities of Color (In-kind contributions)
  - Portland State University

3

## A Diverse Native American Community

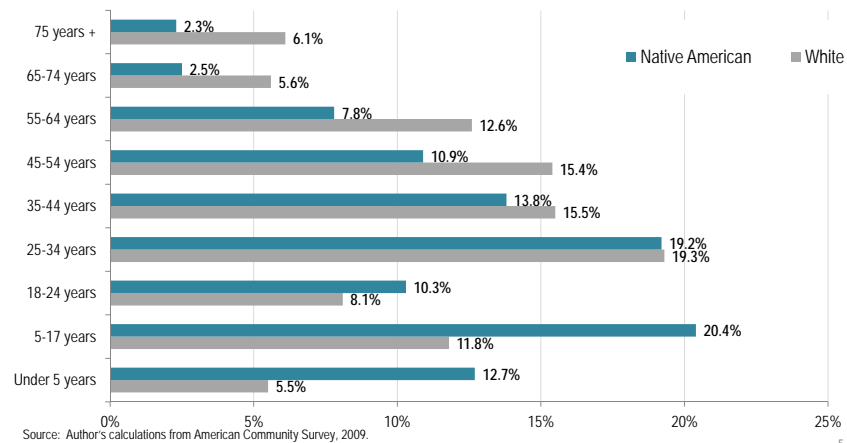
- Metro area rests on traditional village sites of the **Multnomah, Kathlamet, Clackamas, Bands of Chinook, Tualatin, Kalapuya, Molalla** and many other tribes who made their homes along the Columbia River, creating communities and summer encampments to harvest and use the plentiful natural resources of the area
- Portland has the **9<sup>th</sup> largest urban Native American population** in the United States. We are 4% of the population in Metro region.
- We are **descended from over 380 tribes**.
- There are over 28 Native American organizations in Portland run by and staffed with Native people.
- Our combined resources represent over 50 million dollars in revenue to go to local taxes, businesses and services.

4

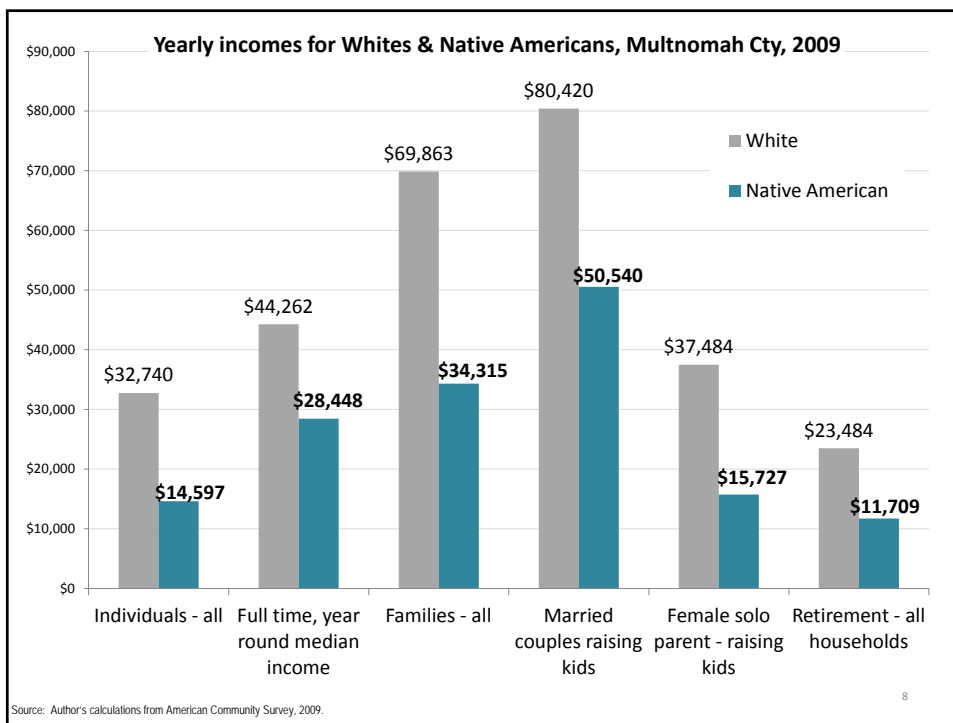
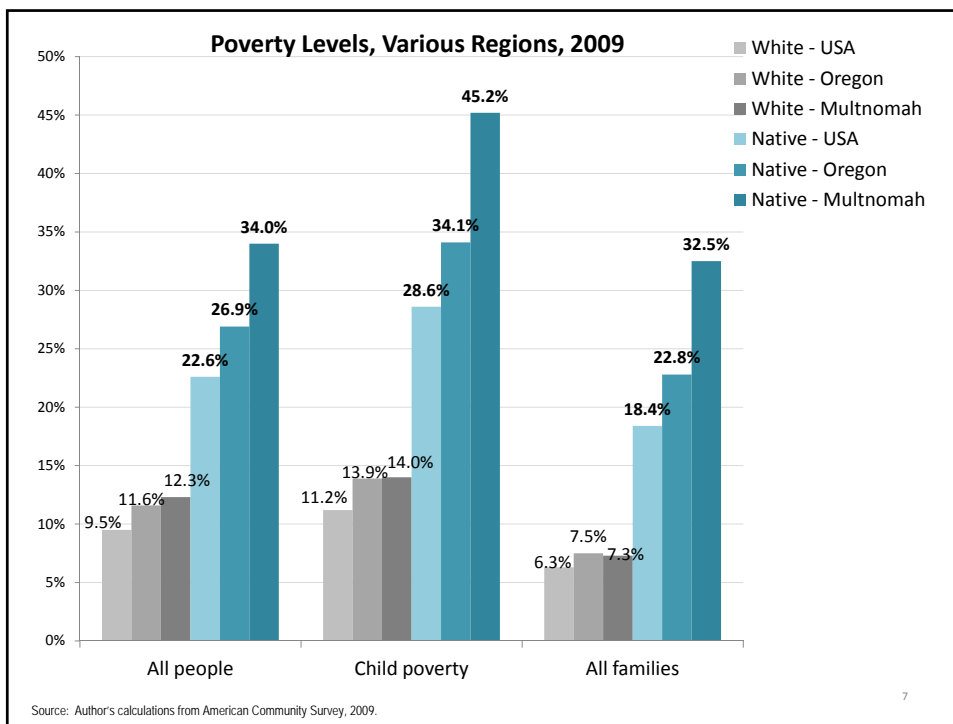
## Synthesis of findings

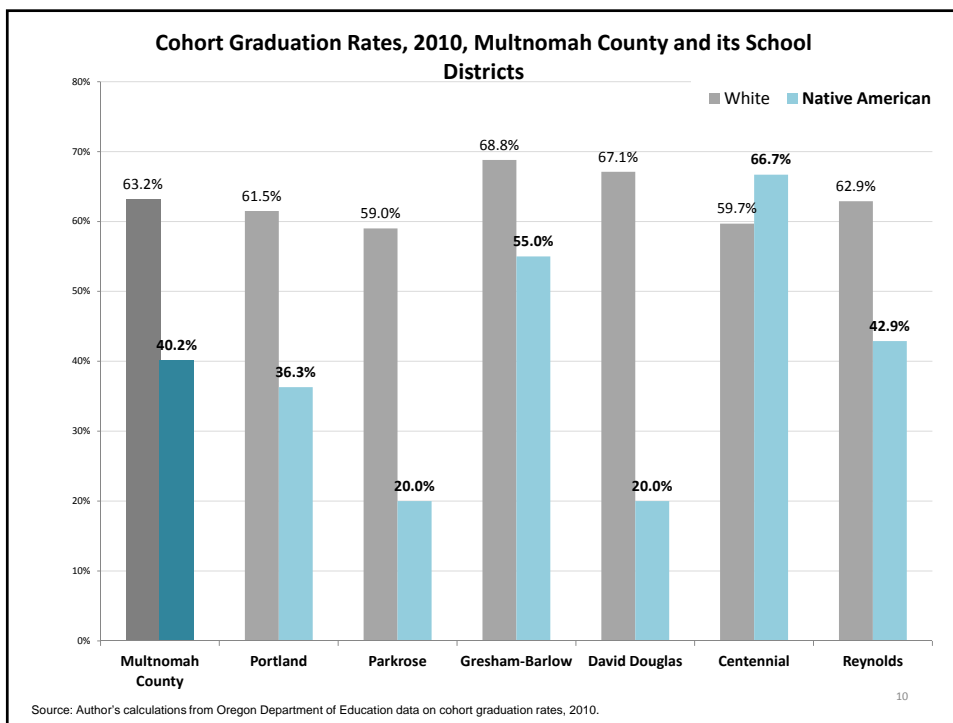
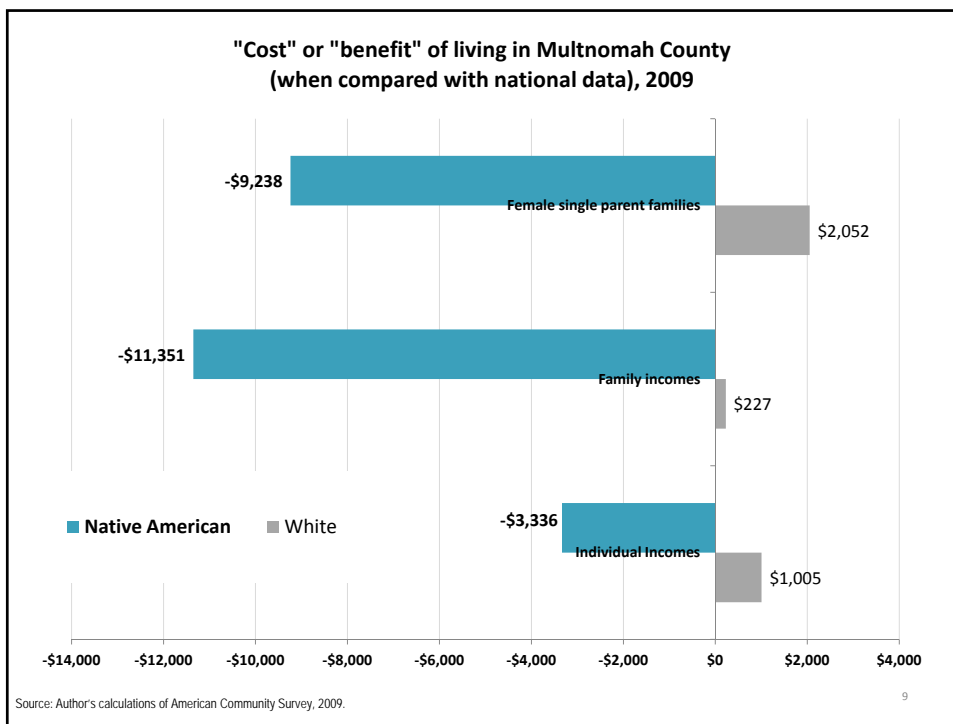
- Native Americans are **sizeable and growing** in numbers
  - But are rendered less visible by undercounts that we are solving in several ways

Age distribution, Multnomah County, 2009



- There are **huge disparities** across all systems and institutions between Native Americans and Whites
- It is **worse here than in King County** (home to Seattle) for Native Americans
- It is **worse here for Native Americans than USA averages**
- These disparities are **worsening over time**
- These comparisons show that **policy can influence outcomes**
  - The policy landscape is failing the Native American community
  - We can and must reverse these trends





## Findings detail an array of disparities

- Our unemployment rate in 2009, was 70% higher than Whites.
- More than 20% of Native Americans experience hunger on a regular basis (at least monthly).
- We are incarcerated at almost double the rate of Whites.
- 22% of our children in Multnomah County are taken from their families and placed in foster care.

11

We seek equity and fairness and a set of reforms that entrenched in policy commitments that move the Native American community towards a brighter future. Now is the time for change.

### FOR MORE INFORMATION, CONTACT:

- Nichole Maher, Co-Chair, Coalition of Communities of Color  
[nicholem@nayapdx.org](mailto:nicholem@nayapdx.org)  
503-288-8177
- Julia Meier, Coordinator, Coalition of Communities of Color  
[juliam@nayapdx.org](mailto:juliam@nayapdx.org)  
503-288-8177 x295
- Ann Curry-Stevens, Principle Investigator  
[currya@pdx.edu](mailto:currya@pdx.edu)  
503-725-5315
- **The full report can be downloaded from**  
[www.coalitioncommunitiescolor.org](http://www.coalitioncommunitiescolor.org)  
(includes data and policy recommendations)

12





**METRO COUNCIL MEETING**

Meeting Summary  
March 15, 2012  
Metro, Council Chamber

Councilors Present: Council President Tom Hughes and Councilors Rex Burkholder, Barbara Roberts, Carl Hosticka, Kathryn Harrington, Shirley Craddick, and Carlotta Collette

Councilors Excused: None

Council President Tom Hughes convened the regular council meeting at 2:04 p.m.

**1. INTRODUCTIONS**

There were none.

**2. CITIZEN COMMUNICATIONS**

James Lee, 6016 SE Mitchell, Portland: Mr. Lee addressed the Council on the Columbia River Crossing project. He compared the CRC bridge design process to that of the past Willamette River Crossing Partnership process chaired by former Portland Mayor Vera Katz. He stated that unlike the Partnership, the CRC was not a thorough or open process. He was concerned that the project did not allow sufficient clearance over the river. He highlighted potential clearance and alignment issues for the Coast Guard and other maritime users should the project design move forward as currently planned. He cited other local bridges' clearance heights.

**3. CONSIDERATION OF THE MINUTES FOR FEB. 23, 2012**

Motion:	Councilor Barbara Roberts moved to adopt the council minutes for Feb. 23, 2012.
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Vote:	Council President Hughes, and Councilors Burkholder, Roberts, Hosticka, Collette, Craddick and Harrington voted in support of the motion. The vote was 7 ayes, the motion <u>passed</u> .
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**4. ORDINANCES – FIRST READING**

4.1 **Ordinance No. 12-1272**, For the Purpose of Amending Metro Code Chapter 5.01 to Repeal Provisions Related to Transfer Station Areas.

Second read, public hearing and Council consideration and vote are scheduled for Thursday, March 22, 2012. Councilor Kathryn Harrington was assigned to carry the legislation.

- 4.2 **Ordinance No. 12-1273**, For the Purpose of Amending the FY 2011-12 Budget and Appropriations Schedule, Recognizing New Grants, Donations and Other Contributions and Amending the FY 2011-12 through FY 2015-16 Capital Improvement Plan.

Second read, public hearing and Council consideration and vote are scheduled for Thursday, March 22, 2012. Council President Hughes was assigned to carry the legislation.

5. **RESOLUTIONS**

- 5.1 **Resolution No. 12-4332**, For the Purpose of Approving the 2012-2015 Metropolitan Transportation Improvement Program for the Portland Metropolitan Area.

Motion:	Councilor Carlotta Collette moved to adopt Resolution No. 12-4332.
Second:	Councilor Harrington seconded the motion.

Councilor Collette introduced Resolution No. 12-4332. If approved, the resolution would adopt the 2012-15 Metropolitan Transportation Improvement Program (MTIP), a document that summarizes the programming of federal transportation funding in the region for the years 2012 through 2015 and demonstrates that the use of funds comply with all federal planning and programming regulations. Every two years Metro works collaboratively with its regional partners to select projects that make sense from a regional perspective and allocate federal funding to these projects and programs. Councilor Collette emphasized the work and outreach (e.g. public hearings) completed by Metro and its regional partners over the past several months.

Councilor Collette stated that the Joint Policy Advisory Committee on Transportation (JPACT), and its technical advisory body the Transportation Policy Alternatives Committee (TPAC), approved Resolution No. 12-4332.

Vote: Council President Hughes, and Councilors Burkholder, Roberts, Hosticka, Collette, Craddick and Harrington voted in support of the motion. The vote was 7 ayes, the motion passed.

- 5.2 **Resolution No. 12-4333**, For the Purpose of Approving the Air Quality Conformity Determination for the 2012-2015 Metropolitan Transportation Improvement Program.

Motion:	Councilor Collette moved to adopt Resolution No. 12-4333.
Second:	Councilor Shirley Craddick seconded the motion.

Councilor Collette introduced Resolution No. 12-4333, the companion legislation to Resolution No. 12-4332. If adopted, the resolution would approve the air quality conformity determination for the 2012-2015 MTIP, demonstrating that implementation of the MTIP's projects and programs do not violate the region's air quality standards. Completion of the air quality conformity determination and consulting with state and federal air quality regulating agencies is required. Councilor Collette stated that both JPACT and TPAC approved Resolution No. 12-4333.

Councilor Burkholder highlighted the region's success in reducing its air pollution over the past few decades in part due to the region's investment in biking, walking and transit. He cautioned that the region's continued success will rely on continued investment in active transportation. Members

addressed the Senate's pending transportation bill, TriMet's current budget challenges, and the benefits the regional light rail system and its continued growth.

Vote:

Council President Hughes, and Councilors Burkholder, Roberts, Hosticka, Collette, Craddick and Harrington voted in support of the motion. The vote was 7 ayes, the motion <u>passed</u> .
---

**5.3 Resolution No. 12-4334, For the Purpose of Authorizing General Obligation Bonds and Refunding General Obligation Bonds.**

Motion:	Councilor Carl Hosticka moved to adopt Resolution No. 12-4334.
Second:	Councilor Collette seconded the motion.

Councilor Hosticka introduced Resolution No. 12-4334 which if approved would:

1. Authorize the sale of new bonds provided by the region's voters through the 2006 Natural Areas Acquisition bond measure;
2. Authorize the sale of bonds provided by the voters in through the 2008 Oregon Zoo Infrastructure and Animal Welfare bond measure; and
3. Authorize refunding of existing bonds under the 1995 Open Spaces and 2007 Natural Areas bond measures.

The resolution authorizes Metro staff to combine the individual bond sales in order to generate higher buyer interest and thereby securing the best rate for taxpayers. Additionally, issuing debt can be expensive and while each element of the sale will have costs, a combined sale allows for sharing of the costs and more efficient work effort by staff. Councilor Hosticka stated that refunding the bonds will save Metro area tax payers \$6 billion over the life of the debt given the expected interest rates. Additionally, he stated that there will be impacts to property taxes and residents will see an increase up to approximately \$0.18 per 1000 of assessed value. However, the bonds are not subjected to compression.

Councilor Hosticka provided examples of projects at the Oregon Zoo – such as the anticipated indoor and outdoor elephant habitat and visitor viewing facilities – and Metro's natural areas – such as Clear Creek – that have been made possible thanks to the multiple voter-approved bond measures.

Councilor Harrington noted that all of the bond measures required the establishment of a citizen advisory committee. Each committee issues an annual report that can be accessed online at [www.oregonmetro.gov](http://www.oregonmetro.gov).

Vote:

Council President Hughes, and Councilors Burkholder, Roberts, Hosticka, Collette, Craddick and Harrington voted in support of the motion. The vote was 7 ayes, the motion <u>passed</u> .
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**6. CHIEF OPERATING OFFICER COMMUNICATION**

Ms. Martha Bennett provided updates on the March 15 Metro Service Award Luncheon, March 15 meet and greet with the final candidates for the vacant Convention Center director position, upcoming work session with TriMet to discuss the transit agency's projected budget shortfall, and

the status of the City of Lake Oswego's application for a minor amendment to the urban growth boundary.

**7. COUNCILOR COMMUNICATION**

Councilors provided updates on recent meetings including the Oregon Passenger Rail Leadership Council, and meetings with local city councils and project Steering Committee on the East Metro Connections plan. Upcoming events noticed included the March 20 and March 21 Destination Main Streets workshops.

**8. ADIJOURN**

There being no further business, Council President Hughes adjourned the regular meeting at 2:35 p.m. The Council will reconvene the next regular council meeting on Thursday, March 22 at 2 p.m. at the Metro Council Chamber.



Kelsey Newell, Regional Engagement Coordinator

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF MARCH 15, 2012.**

No additional new material was distributed at the meeting.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPOINTING THE	)	RESOLUTION NO. 12-4339
FOLLOWING MEMBERS TO THE METRO	)	
POLICY ADVISORY COMMITTEE (MPAC);	)	Introduced by Tom Hughes,
MAXINE FITZPATRICK AS MULTNOMAH	)	Council President
COUNTY CITIZEN MEMBER, BOB GROVER	)	
AS WASHINGTON COUNTY CITIZEN	)	
MEMBER, WILDA PARKS AS CLACKAMAS	)	
COUNTY CITIZEN MEMBER.	)	

WHEREAS, the Metro Charter, Chapter V Section 26 (1) (m), provides that three citizen members of the Metro Policy Advisory Committee (MPAC) shall be appointed by the Council President and confirmed by the Metro Council: and

WHEREAS, the Council President has appointed Maxine Fitzpatrick as citizen member for Multnomah County, Bob Grover as citizen member for Washington County and Wilda Parks as citizen member for Clackamas County, subject to confirmation by the Metro Council; now, therefore,

BE IT RESOLVED that the Metro Council confirms the appointment of Maxine Fitzpatrick, Bob Grover and Wilda Parks as members of the Metro Policy Advisory Committee (MPAC).

ADOPTED by the Metro Council this \_\_\_\_ day of \_\_\_\_ 2012.

\_\_\_\_\_  
Tom Hughes, Council President

Approved as to Form:

\_\_\_\_\_  
Alison Kean Campbell, Metro Attorney

## STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 12-4339, FOR THE PURPOSE OF APPOINTING THE FOLLOWING MEMBERS TO THE METRO POLICY ADVISORY COMMITTEE (MPAC); MAXINE FITZPATRICK AS MULTNOMAH COUNTY CITIZEN MEMBER, BOB GROVER AS WASHINGTON COUNTY CITIZEN MEMBER, AND WILDA PARKS AS CLACKAMAS COUNTY CITIZEN MEMBER.

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Date: March 15, 2012

Prepared by: Colin Deverell  
503-797-1560

### BACKGROUND

Pursuant to the Metro Charter, Chapter V Section 26 (1) (m), the Metro Council President is tasked with the appointment of three citizen representatives on the Metro Policy Advisory Committee (MPAC). Council President Tom Hughes has appointed three citizen representatives to serve on the committee: Ms. Maxine Fitzpatrick, Mr. Bob Grover and Ms. Wilda Parks. This resolution confirms these appointments.

Ms. Maxine Fitzpatrick is the executive director of Portland Community Reinvestment Initiatives, Inc., a community development organization that manages a broad housing portfolio in the Portland area. She is also a member of the N/NE Economic Development Alliance, North Macadam Urban Renewal Area Advisory Council and the TriMet Citizens' Advisory Council. Previously, she worked in a variety of roles in Milwaukee, Wisconsin, supporting urban rehabilitation and housing development.

Mr. Bob Grover is the president of Pacific Landscape Management, one of the region's fastest growing companies, which has been recognized for its efforts in sustainable landscaping practices. A former member of the Hillsboro Planning Commission, Mr. Grover has been an active member of the Hillsboro community for over 20 years, also as a member Hillsboro Rotary and the St. Matthew Catholic Church Administrative Council.

Ms. Wilda Parks is the vice-president of External Affairs for the North Clackamas County Chamber of Commerce, having previously served as President/CEO for thirteen years. She served as vice chair of the region's Comprehensive Economic Development Strategy (CEDS) advisory board, a member of the City of Milwaukie's Economic Development Advisory Group and Main Street team. Ms. Parks is also a member of the Clackamas County Cultural Commission.

### ANALYSIS/INFORMATION

1. **Known Opposition** None known at this time.
2. **Legal Antecedents**
  - The Metro Charter, Chapter V Section 26 (1) (m), provides that MPAC shall include three citizens appointed by the Council President and confirmed by the Council.
  - MPAC by-laws specify that citizen appointments are to be for a term of not less than two years. Taking this into account, staff recommends that these appointments to MPAC be for a two-year term, commencing upon confirmation.
3. **Anticipated Effects** New citizen members will be appointed to MPAC.

**4. Budget Impacts** None.

**RECOMMENDED ACTION**

Staff recommends the adoption of Resolution No. 12-XXXX.



*Consulting Foresters & Restoration Ecologists*

January 19, 2012

Darin Mathews, CPPO, C.P.M.  
Metro Procurement Officer  
600 NE Grand Avenue  
Portland OR 97232

RE: Appeal of Award of RFP 12-1989 – *Chehalem Forest Stand Management*

Dear Mr. Mathews:

I would like to appeal the award of RFP 12-1989 to Trout Mountain Forestry on the following grounds:

**1. Metro incorrectly and arbitrarily downgraded IRM's proposal relating to "commitment to budget and schedule parameters"**

In your email dated January 18<sup>th</sup>, 2012, you stated that IRM scored four points out of a possible five points for "commitment to Budget and Schedule" while you implied that Trout Mountain received the full five points.

On "Commitment to Budget":

On pages 15 and 16 of the IRM proposal, IRM demonstrates that they are fully committed to their budget by submitting a firm/fixed price for all phases of the operation. The budget submitted is not an estimate but a firm/fixed price for conducting not only the planning phases of the project but also the implementation – e.g. the logging and trucking. It is inconceivable how a firm/fixed price offer can be anything less than a full commitment to the budget. Regardless of the actual cost incurred by IRM, Metro will be charged exactly what is contained in the budget proposal. This eliminates any risk to Metro regarding overrun or unforeseen costs. Based upon these firm /fixed priced costs and estimated volumes and log prices, Metro could look forward to over \$214,000 in income if they hired IRM.

In contrast, all the costs in budget submitted by Trout Mountain Forestry are estimates. Trout Mountain is not committing to any of the costs and therefore their "commitment to the budget" is by definition low. Therefore, the estimated net revenues they are predicting are highly suspect because in addition of the uncertainty of future log prices, they are not guaranteeing their costs associated with the operation. Their estimated budget significantly increases the risk to Metro of cost overruns, and increases the uncertainty of positive revenue generation.

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P.O. Box 547  
Philomath, OR 97370  
www.irmforestry.com

[marc@irmforestry.com](mailto:marc@irmforestry.com)  
(541) 929-3408 – Office  
(541) 609-0322 – Cell  
(775) 535-4364 – Fax





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*Consulting Foresters & Restoration Ecologists*

On "Commitment to Schedule":

On page nine of our proposal, IRM submitted a work plan and schedule that mirrors exactly the Tentative Schedule shown on Page 4 of the RFP. It is inconceivable how our proposed schedule which mirrors exactly what Metro is request should deserve any less than the full points associated with the evaluation criteria.

In conclusion, if IRM had been awarded the points the deserve for this evaluation criteria, their score would have been five points higher and would have won the award. Metro's incorrect, and arbitrary scoring, should be re-evaluated and the contract should be rightly awarded to IRM.

**2. Metro incorrectly and arbitrarily downgraded IRM's proposal relating to Project Staffing and Experience.**

In our proposal, IRM demonstrated that project management will be staffed by IRM's most experienced employee, Marc Barnes – our senior project manager. In addition, other very experienced staff members will be assisting with inventory and log accountability. More importantly, IRM is teamed with Ramco Mechanical Cutting, a highly experienced and well respected cut-to-length operator, who has committed two cut-to-length harvesting systems (2 harvesters and 2 forwarders) in order to complete the project in a timely fashion. As shown in the cost proposal, RAMCO is committed to the project at the rates listed. This commitment shows capability to complete the project without being subject to the uncertainty of finding a capable and qualified logger with a cut-to-length system.

In contrast, Trout Mountain's proposes to use a cut-to-length operator but does not list specifically who that operator is. Since there are very few cut-to-length (less than five in the Willamette valley to Longview area) operators, the reality of Trout Mountain securing a cut-to-length operator for this project in short order is unrealistic.

Therefore, we believe that IRM was incorrectly and arbitrarily downgraded relating to this evaluation criteria, and we request a re-evaluation which fairly considers all of our capacity, and the commitment by our logging contractor.

Thank you for considering our appeal. Please feel free to contact me at any time for more information or further discussion.

Sincerely

Marc D. Barnes, President

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1431 College Street  
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Philomath, OR 97370  
[www.irmforestry.com](http://www.irmforestry.com)

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(541) 609-0322 – Cell  
(775) 535-4364 – Fax

IRM

Cost/Budget

This cost proposal is broken down into the following:

Cost Proposal for the 500 acre plantation:

- A fixed cost for each of the following tasks related to developing the silvicultural prescriptions:
  - Forest Inventory
  - Modeling
  - Silvicultural Prescriptions
  - GIS work
- A firm-fixed price per ton and/or MBF harvested is provided for thinning the 500 acre plantation. This price is all inclusive and covers the following:
  - Permitting & Log marketing
  - Logging contract supervision
  - Log accounting
  - All relevant meetings
  - Road maintenance
  - Harvesting and Trucking of the merchantable material to the mills.
- A firm-fixed price per acre cost for conducting the mastication along the roads with the Lightfoot™
- A per tree cost for snag creation – climbing and topping.
- What is not included in the price proposal is the following:
  - Cost for follow up treatments such as site prep & planting
  - Capital improvements such as road constructions
  - Other non-direct costs

500 acre Plantation Budget

TASK				
Inventory	<b>Manpower</b>			
	Employee	Hours	Rate	Total
	Marcus Koops	24	\$ 52.00	\$ 1,248.00
	Marc Barnes	8	\$ 92.00	\$ 736.00
	Total			\$ 1,984.00
	<b>Expenses</b>			
	Mileage	Miles	Rate	Total
	Mileage	600	\$ 0.60	\$ 360.00
	Total			\$ 360.00
	<b>Total for Task</b>			
Silvicultural Rx, Inventory Analysis & GIS	<b>Manpower</b>			
	Employee	Hours	Rate	Total
	Curt Rogers	5	\$ 92.00	\$ 460.00
	Marc Barnes	40	\$ 92.00	\$ 3,680.00
	Total			\$ 4,140.00
	<b>Expenses</b>			
	Mileage	Miles	Rate	Total
	Mileage	150	\$ 0.60	\$ 90.00
	Total			\$ 90.00
	<b>Total for Task</b>			
<b>Grand Total</b>				<b>\$ 6,574.00</b>

## 500 acre Plantation Logging Costs

Logging & Trucking Costs by Mill Destination			
Stimson Lumber -- Forest Grove			
	Logging	Trucking	Total
MBF	\$ 221.40	\$ 60.41	\$ 281.81
Ton	\$ 33.75	\$ 9.18	\$ 42.93
Intefor Pacific -- Mollala			
	Logging	Trucking	Total
MBF	\$ 221.40	\$ 150.00	\$ 371.40
Ton	\$ 33.75	\$ 22.95	\$ 56.70
Hampton Lumber -- Willamina			
	Logging	Trucking	Total
MBF	\$ 221.40	\$ 100.58	\$ 321.98
Ton	\$ 33.75	\$ 15.31	\$ 49.06
Longview Fiber -- Longview			
	Logging	Trucking	Total
MBF	\$ 221.40	\$ 100.58	\$ 321.98
Ton	\$ 33.75	\$ 15.31	\$ 49.06
Pacific Fibre --Banks			
	Logging	Trucking	Total
Ton	\$ 31.25	\$ 9.40	\$ 40.65

The logging and trucking pricing shown above are based on current on highway diesel fuel pricing supplied by Wilcox & Flegel Oil Company at a current price of \$3.75/gallon. Due to the volatility of diesel fuel prices and their direct impact to logging and trucking costs, a 1% fuel surcharge will be applied to the logging prices for every increase of 10cts in diesel fuel, and a 2% fuel surcharge will be applied to the trucking prices for every increase of 10cts in diesel fuel. In the event a fuel surcharge is applied, IRM will supply invoicing information from Wilcox and Flegel Oil Company documenting the increase in fuel pricing.

Snag Creation through Climbing and Topping will be billed at \$50/tree  
 Hazardous Fuels Reduction will be billed out at \$450/acre

Cost Proposal for the 60 Year old mixed hardwood-conifer mix stand:

- A fixed cost for each of the following tasks related to developing the silvicultural prescriptions:
  - Forest Inventory
  - Modeling
  - Silvicultural Prescriptions
  - GIS work
  - Marking
- A firm-fixed price per ton and/or MBF harvested is provided for thinning. This price is all inclusive and covers the following:
  - Permitting & Log marketing
  - Logging contract supervision
  - Log accounting
  - All relevant meetings

- Road maintenance
- Harvesting and Trucking of the merchantable material to the mills.
- A per tree cost for snag creation – climbing and topping.
- What is not included in the price proposal is the following:
  - Cost for follow up treatments such as site prep & planting
  - Capital improvements such as road constructions
  - Other non-direct costs

### 60 Year old Mixed Conifer-Hardwood Stand Budget

TASK				
Inventory	<b>Manpower</b>			
	Employee	Hours	Rate	Total
	Marcus Koops	16	\$ 52.00	\$ 832.00
	Marc Barnes	8	\$ 92.00	\$ 736.00
	Total			\$ 1,568.00
	<b>Expenses</b>			
	Mileage	Miles	Rate	Total
	Mileage	450	\$ 0.60	\$ 270.00
	Total			\$ 270.00
	<b>Total for Task</b>			<b>\$ 1,838.00</b>
Silvicultural Rx, Inventory Analysis & GIS	<b>Manpower</b>			
	Employee	Hours	Rate	Total
	Curt Rogers	5	\$ 92.00	\$ 460.00
	Marc Barnes	30	\$ 92.00	\$ 2,760.00
	Total			\$ 3,220.00
	<b>Expenses</b>			
	Mileage	Miles	Rate	Total
	Mileage	150	\$ 0.60	\$ 90.00
	Total			\$ 90.00
	<b>Total for Task</b>			<b>\$ 3,310.00</b>
Marking	<b>Manpower</b>			
	Employee	Hours	Rate	Total
	Marc Barnes	30	\$ 92.00	\$ 2,760.00
	Total			\$ 2,760.00
	<b>Expenses</b>			
	Mileage	Miles	Rate	Total
	Mileage	450	\$ 0.60	\$ 270.00
	Total			\$ 270.00
	<b>Total for Task</b>			<b>\$ 3,030.00</b>
	<b>Grand Total</b>			<b>\$ 8,178.00</b>

## 60 Year old Mixed Conifer-Hardwood Stand Logging Costs

Logging & Trucking Costs by Mill Destination			
Stimson Lumber -- Forest Grove			
	Logging	Trucking	Total
MBF	\$ 230.00	\$ 60.41	\$ 290.41
Ton	\$ 35.00	\$ 9.18	\$ 44.18
Intefor Pacific – Mollala			
	Logging	Trucking	Total
MBF	\$ 230.00	\$ 150.00	\$ 380.00
Ton	\$ 35.00	\$ 22.95	\$ 57.95
Hampton Lumber -- Willamina			
	Logging	Trucking	Total
MBF	\$ 230.00	\$ 100.58	\$ 330.58
Ton	\$ 35.00	\$ 15.31	\$ 50.31
Longview Fiber – Longview			
	Logging	Trucking	Total
MBF	\$ 230.00	\$ 100.58	\$ 330.58
Ton	\$ 35.00	\$ 15.31	\$ 50.31
Pacific Fibre – Banks			
	Logging	Trucking	Total
Ton	\$ 31.25	\$ 9.40	\$ 40.65

The logging and trucking pricing shown above are based on current on highway diesel fuel pricing supplied by Wilcox & Flegel Oil Company at a current price of \$3.75/gallon. Due to the volatility of diesel fuel prices and their direct impact to logging and trucking costs, a 1% fuel surcharge will be applied to the logging prices for every increase of 10cts in diesel fuel, and a 2% fuel surcharge will be applied to the trucking prices for every increase of 10cts in diesel fuel. In the event a fuel surcharge is applied, IRM will supply invoicing information from Wilcox and Flegel Oil Company documenting the increase in fuel pricing.

**Snag Creation through Climbing and Topping will be billed at \$50/tree**

### Projected Revenue from 500 Acre Plantation Thinning

It is anticipated that approximately 20 tons/acre of pulp logs, and 2800 BF/acre of sawlogs will be generated from the thinning. It is likely that the sawlogs will be sold to Stimson Lumber in Forest Grove and the pulp logs to Pacific Fibre in Banks. Those mills are currently paying \$420/MBF and \$44/Ton respectively. **As a result, based upon the logging cost listed above, we anticipate a net income to Metro from the thinning of the plantation at approximately \$181,426 in sawlogs, and \$33,500 in pulp logs.**

### Projected Revenue from 60 Year old Mixed Conifer-Hardwood Stand

Given how diverse this stand is it is difficult to project estimated income from the harvest in this stand, However, it would be reasonable to assume that 20 tons/acre of pulp logs, and 5000 BF/acre of sawlogs will be generated from the thinning. It is likely that the sawlogs will be sold to Stimson Lumber in Forest Grove and the pulp logs to Pacific Fibre in Banks. Those mills are currently paying \$420/MBF and \$44/Ton respectively. **As a result, based upon the logging cost listed above, we anticipate a net income to Metro from the thinning of the plantation at approximately \$12,959 in sawlogs, and \$1,340 in pulp logs.**

TMF

series of custom cuts of FSC certified logs, producing nearly 5 million board feet of FSC certified lumber that was sold into local markets. This project earned a price premium for the participating landowners, and garnered press coverage in *The Oregonian* and *Capitol Press*, among others. Trout Mountain Forestry is an FSC-certified Resource Manager (certificate #SCS-FM/COC-00062G).

### 5. Cost/Budget

The proposed budget for this project has been separated into a prescription development budget and an operational budget, each presented below. The operational budget (next page) was based on our preliminary site examinations, which included visiting the stands with a preferred logging contractor to get firm cost estimates for the habitat thinning. Revenues were based on current sawlog and pulp prices. Thinning volumes (yield) estimates are conservative. The budgets do not include miscellaneous charges. Trout Mountain Forestry charges \$0.60 per mile, and will not charge for any materials used in this project (field or office). This does not include the cost of restoration materials (e.g. plant materials, seed, etc.).

### Budget for Prescription Development

January 2012 - March 2012

Activity	Staffing	Rate	Hours	Cost	Total Cost
Site Reconnaissance	Ferguson, Sims	\$ 95	48	\$ 4,560	
Site Reconnaissance	Messier	\$ 80	24	\$ 1,920	
Site Reconnaissance	McComb	\$ 100	8	\$ 800	
Meetings	Ferguson, Sims	\$ 95	24	\$ 2,280	
Meetings	McComb	\$ 100	12	\$ 1,200	
Data Collection	Ferguson, Sims	\$ 95	24	\$ 2,280	
Data Collection	Messier	\$ 80	32	\$ 2,560	
Compile Data	Sims, Fehrenbacher	\$ 95	16	\$ 1,520	
Mapping	Messier	\$ 80	16	\$ 1,280	
Forest Growth Modeling	Sims, Fehrenbacher	\$ 95	28	\$ 2,660	
Draft Prescriptions	Ferguson, Sims	\$ 95	36	\$ 3,420	
Draft Prescriptions	McComb	\$ 100	12	\$ 1,200	
Final Prescriptions and Report	Ferguson, Sims	\$ 95	32	\$ 3,040	\$ 28,720

Year 2012 Operational Budget\* (habitat thinning)

Management Action	Acres	Timeframe	Staffing	Days	Thinning Type	Percent Removal	Pulp Loads	Sawlog Loads	Logging System	Cost /load	Cost	Revenue / Load	Revenue
Harvest Layout	128.0	March-April	Forester	10							\$ (7,600)		
Contract & Start-up		April	Forester	3							\$ (2,280)		
Thin Plantation	100.0	May-July	Logger 2 crew	80	Variable	30-40%	150		Cut-to-length	\$ (1,050)	\$ (157,500)	\$1,100	\$ 165,000
Thin Plantation		May-July	Logger, 2 crew					100	Cut-to-length	\$ (1,050)	\$ (105,000)	\$1,450	\$ 145,000
Thin Older Stand	28.0	July	Logger, 2 crew	25	Selective	25%		40	Shovel	\$ (1,200)	\$ (48,000)	\$2,450	\$ 98,000
Harvest Supervision		May-July	Forester	30							\$ (22,800)		
Administration		May-July	Office Manager	5							\$ (2,500)		
<b>Totals:</b>											<b>\$ (345,680)</b>		<b>\$ 408,000</b>
Assumption: Current log and pulp prices													
Assumption: Current diesel prices													
<b>Net:</b>													<b>\$ 62,320</b>

Year 2013 Operational Budget (habitat thinning)

Management Action	Acres	Timeframe	Staffing	Days	Thinning Type	Percent Removal	Pulp Loads	Sawlog Loads	Logging System	Cost /load	Cost	Revenue / Load	Revenue
Harvest Layout	100.0	March-April	Forester	7							\$ (5,320)		
Contract & Start-up		April	Forester	2							\$ (1,520)		
Thin Plantation	100.0	May-July	Logger, 2 crew	80	Variable	30-40%	150		Cut-to-length	\$ (1,050)	\$ (157,500)	\$1,100	\$ 165,000
Thin Plantation		May-July	Logger, 2 crew					100	Cut-to-length	\$ (1,050)	\$ (105,000)	\$1,450	\$ 145,000
Harvest Supervision		May-July	Forester	20							\$ (15,200)		
Administration		May-July	Office Manager	4							\$ (2,000)		
<b>Totals:</b>											<b>\$ (286,540)</b>		<b>\$ 310,000</b>
<b>Net:</b>													<b>\$ 23,460</b>

Years 2014-16, Thin 100 Acres Plantation Per Year

**Note\*** All budgets are estimates  
 Assumption: Current log and pulp prices  
 Assumption: Current diesel prices  
 Note: This budget does not include the cost of site improvements such as shrub planting, snag creation or channel erosion control.  
 Note: Miscellaneous charges: Millage charged at \$0.60 per mile. All other supplies, both field and office are supplied at no charge

**3 - Year Net:** **\$ 85,780**

- Logging and trucking costs for each sort and mill are stored in the database corresponding to the logging contract
- The database generates the following reports:
  - A report for each mill and voucher which is used by IRM to bill Metro and pay Ramco. (See Appendix D for an example of this report)
  - A summary by mill and voucher showing total volume by species for the unit and the entire logging job. The volume for each unit shipped will be compared the stand inventory to provide a cross check in regards to volume harvested.
  - The Log Tracking Database provides a report identifying if there is a missing log load ticket – this report is generated after the payment voucher information is entered.

This system ensures log accountability. Frequent and unscheduled contract administration by IRM and Metro personnel, hammer inspections, load chasing and logging site security ensures full transparency. Log load tickets combined with our Log Tracking Database ensure that all loads and logs are accounted for by both IRM and Metro.

## Work Plan and Schedule

The table below outlines the proposed work schedule. We anticipate that all of the work will be completed in one field season. Ramco has reserved in its schedule the thinning of the 500 acre plantation in its entirety as well as the 60 year old mixed hardwood conifer stand:

Date	Description
January 2012	Interim meeting to review draft prescriptions and schedule of activities
February 2012	Completion of final prescriptions and schedule for 2012 activities
March 2012	Initiation of prep work for thinning operation
May-October 2012	Implementation of thinning operation

## Staffing/Project Manager Designation

The experience, knowledge, and commitment of IRM’s employees and sub-contractors are one of our greatest assets. All persons involved have a minimum of a BS in forest management or related natural resource field, and have honed a valuable skill to fill a niche within our company. Resumes for IRM staff that will be involved with this project are located in Appendix F.

### *Marc Barnes, President, Senior Project Manager*

Mr. Barnes has over twenty five years experience in forestry. His knowledge of natural resource management is diverse and extensive — stemming from his experience as a logger in Eastern Canada through the positions he has held in academia, industry, and with private consulting firms. Since founding Integrated Resource Management in 1994 he has managed hundreds of projects for IRM. He obtained his BA in Environmental Science and History from Pitzer College, and his MF in Forest Management and Silviculture from the University of Washington.

### *Kathy Dunn, Log Accountability Manager/Bookkeeper*

Mrs. Dunn has been with Integrated Resource Management as the lead Office Manager/Bookkeeper since 2003. She comes from a natural resources background which has significantly enhanced her work quality and understanding of projects at IRM. Mrs. Dunn graduated from Oregon State University in 2003 with a Bachelor of Science in General Agriculture with an emphasis in Education. She is currently in charge of bookkeeping, office





## Request for Proposals (RFP 12-1989)

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- c. At least one interim meeting to review contracts for thinning and associated work.
- d. Metro may request additional meetings in the field during thinning and associated work. Meetings will be scheduled to coincide with consultant oversight of the contract work, whenever possible.

### 3. Tentative Schedule:

Nov. 1, 2011 – release RFP

Nov 9, 2011- optional field visits for prospective consultations

Dec. 2011 – proposals due at Metro, Contractor selected

Jan. 2012 – interim meeting to review draft prescriptions and schedule of activities

Feb. 2012 – completion of final prescriptions and schedule for 2012 activities

March 2012 - initiation of prep work for initial thinning operation

May 2012 – implementation of initial thinning operation (timing may change based on market conditions and site conditions)

TBD: completion of contract will be determined by final schedule developed for thinning and associated actions.

### 4. Deliverables:

#### A. Management prescriptions including:

- Stand data that support the thinning prescriptions
- Unit locations with priority and schedule of treatments (thinning, fuels reduction, etc.)
- Thinning rationale based on site conditions and Metro management objectives as stated in this RFP and in additional communications

#### B. Contract(s) for thinning and all associated work, including sale of wood.

#### C. Administration of thinning contracts and all associated work, including sale of wood

#### D. Comprehensive project budget

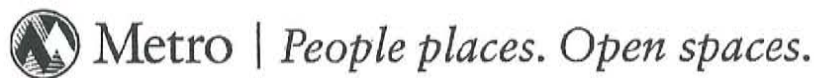
## IV. QUALIFICATIONS/EXPERIENCE

Proposers shall have the following experience:

1. A minimum of five years of forest management experience with a significant component of time focused on young stand management to achieve habitat diversity.
2. An interdisciplinary approach to forest management that incorporates multiple disciplines in developing management options as demonstrated through stand prescriptions and project implementation.
3. Experience implementing thinning and fuels reduction projects including projects on steep slopes.
4. Ability to complete the final stand prescriptions and initiation of initial thinning activities by May 2012.
5. Forest Stewardship Council (FSC) certification preferred.

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February 2, 2012

Integrated Resource Management  
Marc D. Barnes, President  
1431 College Street  
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Philomath, OR 97370

**Subject:      Response to Appeal of Contract Award, RFP 12-1989**  
***Chehalem Ridge Forest Stand Management***

Dear Mr. Barnes:

On January 11, 2012, Metro issued its notice of intent to award a contract for the above listed project to Trout Mountain Forestry (TMF). By letter received via fax on January 19, 2012, Integrated Resource Management (IRM) timely filed a notice of appeal of this intended contract award. As stated in the appeal letter, IRM believes that Metro incorrectly scored the IRM proposal in the areas of Budget/ Schedule and Project Staffing Experience. The appeal further states that the proposal of IRM should be reevaluated, given a higher score, and then awarded the contract.

### ***Background***

In November of 2011 Metro issued a competitive request for proposals (RFP) for providing forest stand management services in the Chehalem Ridge Natural Area. Four proposals were received and were subsequently evaluated by a selection committee comprised of Metro staff with technical expertise in the requested services, as well as a representative from the Oregon Board of Forestry. Based on the criteria listed in the RFP, the proposals were scored and the two top ranked firms were brought in for oral interviews. The top ranked firms were IRM and TMF, both of which had submitted quality proposals. Because the proposals ranked very closely, Metro invited both firms to interviews before making a final selection. The evaluation committee determined that TMF submitted the most advantageous proposal. Subsequently, Metro issued its notice of intent to award the contract to TMF, the highest ranked proposer. Upon receipt of this notice, IRM filed an appeal of the proposed contract award.

### ***Budget and Schedule***

IRM states that "Metro incorrectly and arbitrarily downgraded" the IRM proposal in the area of commitment to Budget and Schedule, which was a subset of the scoring for the request's category for Budget/Cost. IRM contends that its proposal should have been scored higher based on the firm pricing included in their proposal and the commitment to

the project budget and schedule. It also asserts that if IRM had been scored higher it would have won the award.

IRM's assertion appears to be based on the belief that it could have scored higher in the Budget/Cost category. IRM is mistaken, because in fact, it was the highest scoring proposer in this category, and received all but one of the available points for "commitment to budget and schedule parameters." As stated in the RFP, this overall category was worth a total of 15 points, with a possible 10 awarded for a proposals projected cost/benefit and five points scored for the "commitment" sub-category IRM received the highest score of all proposers in the overall category with 14 points, while TMF finished second in this category with 11 points. Scoring was based on the financial impact to Metro of the estimated costs submitted by each firm. Realizing that costs (revenues and expenses) were based on the best information available at the time of the solicitation, Metro requested "projected costs". This area was worth 10 of the 15 points, and IRM captured all 10 points. The remaining 5 points were awarded based on an evaluation of each proposer's commitment to the budget and schedule. IRM scored 4 out of 5 points in this area, while TMF scored 5 points because in the view of the evaluators, its proposal included a more descriptive project schedule.

Because IRM was the top scoring proposer in the Budget/Cost category, and received all but one of the points in the "commitment" sub-category, it cannot demonstrate that its proposal was in fact downgraded in this area, nor can it show that a re-evaluation would change the outcome of the procurement. Accordingly, IRM's appeal on this ground is rejected.

### ***Project Staffing Experience***

IRM also contends that its proposal was "incorrectly and arbitrarily downgraded" in the area of Project Staffing Experience. Although the precise basis of its contention is not clear, IRM appears to support its assertion by noting that project management will be performed by its most experienced staff members. IRM also states that will make use of an experienced cut-to-length operator while questioning the ability of its competitor to secure such an operator, despite the fact, apparently overlooked by IRM, that the TMF proposal identifies one operator it could use.

In the RFP, Metro requested that proposers set forth the experience and qualifications of the proposed designated project manager, as well as other personnel and their qualifications. In evaluating the proposals, Metro's evaluators reviewed the team proposed from each firm and scored them according to the merits of each proposal. The proposal submitted by TMF included a qualified project manager, as well as two foresters assigned to field implementation and additional staff contributing to prescription development and layout. While, Metro does not dispute that the staff members listed in IRM's proposal appear to be qualified, each of the evaluation committee members nevertheless rated TMF slightly higher than IRM in this area. As previously stated, the committee was comprised of individuals with technical expertise in forest stand management.

Metro Code Section 2.04.070 provides that disagreement with the judgment exercised in scoring by evaluators is not a basis for appeal. On this ground of its appeal, IRM appears to assert that the evaluation of its proposed project staffing is "incorrect" simply because it disagrees with the judgment of the procurement's evaluators in comparing its proposal with that of TMF. Additionally, IRM provides no support for the contention that the evaluators acted arbitrarily. Because IRM bases its appeal on an impermissible ground and cannot support its assertion of an arbitrary selection, IRM's appeal on this ground is also rejected.

**Summary**

Metro finds that the RFP selection process was conducted in a fairly and in accordance with ORS 279B.070 and Metro Code 2.04.042, which dictates the award of such contracts be to the firm whose proposal will best serve the interests of the agency. Therefore, the appeal by IRM is hereby denied. The decision rejecting this appeal may be appealed to the Metro Council, acting as the district's local contract review board. Such appeals must be received within five (5) working days from the date of this appeal response. Please contact Darin Matthews, Procurement Officer, at 503-797-1626 or [Darin.Matthews@oregonmetro.gov](mailto:Darin.Matthews@oregonmetro.gov) if you require additional information.

Sincerely,



Scott Robinson  
Deputy Chief Operating Officer

Cc: Sustainability Center  
Office of Metro Attorney  
Procurement Services




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*Consulting Foresters & Restoration Ecologists*

February 7<sup>th</sup>, 2012

Tom Hughes  
 Council President  
 Metro Council  
 600 NE Grand Avenue  
 Portland OR 97232

RE: Appeal of Award of RFP 12-1989 – *Chehalem Forest Stand Management*

Dear Mr. Hughes:

Recently I appealed the award of the above referenced award on the following basis to Darin Mathews – here is a verbatim copy of the appeal:

1. *Metro incorrectly and arbitrarily downgraded IRM's proposal relating to "commitment to budget and schedule parameters"*

*In your email dated January 18<sup>th</sup>, 2012, you stated that IRM scored four points out of a possible five points for "commitment to Budget and Schedule" while you implied that Trout Mountain received the full five points.*

*On "Commitment to Budget":*

*On pages 15 and 16 of the IRM proposal, IRM demonstrates that they are fully committed to their budget by submitting a firm/fixed price for all phases of the operation. The budget submitted is not an estimate but a firm/fixed price for conducting not only the planning phases of the project but also the implementation – e.g. the logging and trucking. It is inconceivable how a firm/fixed price offer can be anything less than a full commitment to the budget. Regardless of the actual cost incurred by IRM, Metro will be charged exactly what is contained in the budget proposal. This eliminates any risk to Metro regarding overrun or unforeseen costs. Based upon these firm /fixed priced costs and estimated volumes and log prices, Metro could look forward to over \$214,000 in income if they hired IRM.*

*In contrast, all the costs in budget submitted by Trout Mountain Forestry are estimates. Trout Mountain is not committing to any of the costs and therefore their "commitment to the budget" is by definition low. Therefore, the estimated net revenues they are predicting are highly suspect because in addition of the uncertainty of future log prices, they are not guaranteeing their costs associated with the operation.*

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*Consulting Foresters & Restoration Ecologists*

*Their estimated budget significantly increases the risk to Metro of cost overruns, and increases the uncertainty of positive revenue generation.*

*On "Commitment to Schedule":*

*On page nine of our proposal, IRM submitted a work plan and schedule that mirrors exactly the Tentative Schedule shown on Page 4 of the RFP. It is inconceivable how our proposed schedule which mirrors exactly what Metro is request should deserve any less than the full points associated with the evaluation criteria.*

*In conclusion, if IRM had been awarded the points the deserve for this evaluation criteria, their score would have been five points higher and would have won the award. Metro's incorrect, and arbitrary scoring, should be re-evaluated and the contract should be rightly awarded to IRM.*

***2. Metro incorrectly and arbitrarily downgraded IRM's proposal relating to Project Staffing and Experience.***

*In our proposal, IRM demonstrated that project management will be staffed by IRM's most experienced employee, Marc Barnes – our senior project manager. In addition, other very experienced staff members will be assisting with inventory and log accountability. More importantly, IRM is teamed with Ramco Mechanical Cutting, a highly experienced and well respected cut-to-length operator, who has committed two cut-to-length harvesting systems (2 harvesters and 2 forwarders) in order to complete the project in a timely fashion. As shown in the cost proposal, RAMCO is committed to the project at the rates listed. This commitment shows capability to complete the project without being subject to the uncertainty of finding a capable and qualified logger with a cut-to-length system.*

*In contrast, Trout Mountain's proposes to use a cut-to-length operator but does not list specifically who that operator is. Since there are very few cut-to-length (less than five in the Willamette valley to Longview area) operators, the reality of Trout Mountain securing a cut-to-length operator for this project in short order is unrealistic.*

*Therefore, we believe that IRM was incorrectly and arbitrarily downgraded relating to this evaluation criteria, and we request a re-evaluation which fairly considers all of our capacity, and the commitment by our logging contractor.*

Mr. Mathews responded by denying my appeal on for a number of reasons but most importantly he said the following in his letter dated February 7, 2012:

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*Consulting Foresters & Restoration Ecologists*

*Because IRM was the top scoring proposer in the Budget/Cost category, and received all but one of the points in the “commitment” sub-category, it cannot demonstrate that its proposal was in fact downgraded in this area, nor can it show that a re-evaluation would change the outcome of the procurement. Accordingly, IRM’s appeal on this ground is rejected.*

Earlier in his letter, Mr. Mathews admits that IRM was downgraded in the “commitment: sub –category, even though IRM’s submitted project schedule which was identical to what Metro put in the RFP. He states that TMF proposal included a more descriptive project schedule and therefore was scored higher, however, nowhere in the RFP does it indicate that a detailed description of the project calendar is desired by Metro, nor necessary for being awarded full points. IRM submitted in its proposal detailed descriptions of what it would provide in terms of services for each phase of the project, and then provided a table showing the proposed schedule which reflected exactly what was desired in the RFP in respect to schedule.

Therefore Mr. Mathews is incorrect in stating that IRM was not downgraded in respect to its commitment to schedule. Indeed IRM was downgraded in respect to this category and was done so arbitrarily and capriciously. I contend that, therefore, IRM should have been awarded full points for its commitment to schedule, and if its proposal had been judged fairly, it would have been the highest scorer and therefore should rightly be awarded the contract.

Thank you for considering our appeal. Please feel free to contact me at any time for more information or further discussion.

Sincerely

Marc D. Barnes, President

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