

The Plans Examiner

JANUARY 2004

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The Bureau of Development Services works with the community and other bureaus to preserve and shape safe, vital, and well planned urban environments.



New SDC grant program created for small restaurants

A pilot grant program was approved by the Portland City Council to help cover the costs of System Development Charges (SDCs) levied on small owner-operated restaurants. The SDCs are collected to cover the costs of increased traffic in the area and additional usage of the city's sewer system.

Small restaurants were targeted because they operate on thin margins, but pay relatively high sewer and transportation SDCs. These small businesses tend to have a positive effect on the neighborhoods where they locate.

Sewer SDCs, charged by the Bureau of Environmental Services, are based on customer seating, making those for restaurants significantly higher than charges to offices, retail stores and other small businesses.

The Portland Department of Transportation SDCs are calculated using a national formula for the number of trips generated by the business. Again, restaurants bear a much larger burden. For example, a retail store pays \$2.17 per sq. ft., while a restaurant, which is assumed to create more traffic, pays \$11.77 per sq. ft.

SDCs only become an issue for restaurants when they occupy new buildings or move to a building that was used for a different purpose by its last occupant. A restaurant moving into a building that was most recently a restaurant pays no SDCs. A search of SDCs levied on restaurants revealed that only a small number will need or even qualify for SDC assistance.

The \$100,000 grant program, pays up to 75 percent of the SDCs or \$15,000, whichever is less.

Grants are restricted to owner-operated businesses, where the owner has no more than one other restaurant location. The restaurant may not be part of a national franchise, exclude minors, or have a floor area greater than 10,000 sq. ft.

Visit the BDS website, www.bds.ci.portland.us.or/new/newmain.htm to learn more about this innovative new small business program.



Lunch & Learn

No permits for that project? Learn how to "Get Legal"

Friday, January 9, 2004, Noon - 1:30 pm

This will interest anyone who buys existing construction for personal use or resale. This session will include such topics as:

- Learn what to look for.
- Construction permits for your project, when and why you need them.
- How to find if work was done without a permit.
- Projects done without permits, what happens next, and enforcement.
- How the "Get Legal" program can help you.

To wrap things up, you'll have time to ask questions about the new program and get specific tips from the BDS "Get Legal" team of experts.

Mark your calendars

2nd Friday of every month
12 noon to 1:30 pm
1900 SW 4th Ave., Portland.
Second floor conference room.

JAN	FEB
9	13
MAR	APR
12	9

Join us! - Bring your lunch and learn the latest information to help keep your building and development projects on track. *Reservations are not required.*

Coming attractions in 2004...

February 13 - A Guide to New Code Guides - There's a new batch of Guide Codes available now from the Bureau of Development Services. BDS code experts lead you through the finer points.

March 12 - Preparing Tree Preservation Plans

April 9 - Title 33 Property Line Adjustments & Lot Segregation Regulations

To view or download PowerPoint presentations from any of the previous Lunch and Learn sessions, visit the Bureau of Development Services Web site, www.bds.ci.portland.or.us, and click on "Lunch and Learn." You can also register for email notices announcing future Lunch and Learn events from this link.

For information or questions about Lunch & Learn, contact Martha Shonya, 503-823-7822.

Development Services Center Closures

Note: Early closure of the DSC

- Wednesday, February 11, 2003, 1:00 pm
If you have business in the DSC on February 11, please plan to be here early enough to have time to complete your work. Thank you!

The DSC will be closed on the following dates for the holidays:

- Martin Luther King Day - January 19, 2004
- President's Day - February 16, 2004

New plan reviewers on board in time for busy season

The Development Services Center (DSC) has three new plans examiners and will hire two more soon. All have experience in architecture or plan review. But they will need a little extra time to get used to the processes and procedures unique to the City of Portland and the DSC.



So please add "patience with the new plan reviewers" to your list of New Year's resolutions. By the time the construction season gets into full swing, they will be up to speed, and you will experience a more efficient plan review process when you do business with the DSC.

Reporting construction work done without a permit

The Bureau of Development Services gets many calls reporting that construction work may be going on without a permit. Some types of work don't require permits, and many times the permit has been issued, but isn't posted on the site. However, there are cases where a permit is required and hasn't been obtained.

To help prevent misunderstandings and provide a quick way to get information about permits and permitting requirements, BDS has added a new page, "Reporting Construction Work Done Without a Permit," to its Web site. You'll find it under "What's New."

The page explains when permits are required and how to determine if a permit has been issued for a specific address. The page also has a link to a "Reporting Form." You will need the exact address

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Code Maintenance program continues in 2004

In 2004, the Bureau of Development Services (BDS) continues its work to clarify and fine tune the city's Zoning Code. The ongoing project, started in 2000, aims to make the code easier to use by removing or rephrasing outdated and confusing language without changing the code's intent or meaning. Examples of proposed updates to Code Maintenance 2004 include:

- References will be deleted to the "Hazardous Substances Review" chapter, which was removed during the 2003 Code Maintenance project. Hazardous substances are heavily regulated by the city and state outside of Title 33, making this review unnecessary.
- The "Nonconforming Situations" chapter will be clarified to show that changes to non-conforming development are allowed only when they satisfy the development standards of the Base Zone as well as the standards of other zones applicable to the property, such as an Overlay Zone or Plan District;
- Language in building setback regulations will be modified so consistent terminology is used when referring to Commercial, Employment and Industrial zones.

Code Maintenance 2004 Schedule

All hearings and meetings will be held at
1900 SW 4th Ave., Portland,
Second Floor Conference Rooms

- Monday, January 26, 2004
Proposed Code Maintenance Package published
- Wednesday, February 4, 2004, 5:30 - 7:30 pm
First Open House
- Thursday, February 12, 2004, 5:30 - 7:30 pm
Second Open House
- Tuesday, February 24, 2004, 7:00 pm
Planning Commission Hearing
(Check the Bureau of Planning Web site,
www.planning.ci.portland.or.us/pc_agenda.html
or *The Oregonian* calendar approximately 10 days
before the Planning Commission hearing for
additional details.)

If you would like to be included in our mailing list or receive email updates, contact Susan Hartnett, Senior Planner/Project Manager, 503-823-3253, or shartnett@ci.portland.or.us.

Help us help you toward more efficient inspections

In July 2003, the Residential and Commercial Inspections Sections merged, creating an expanded pool of more than 60 inspectors. All of the residential inspectors are state A-Level Certified in at least one of the trades, making them available for commercial inspections during busy times. The commercial inspectors are also certified and available to do one and two family inspections.

While more inspectors doing both residential and commercial inspections means better service in the long run, in the short term contractors may need to allow a little extra time as inspectors become familiar with the differences between residential and commercial procedures.

We hope you'll be patient with us during the next few months. We chose this season, when construction work traditionally slows down, to minimize inconvenience. Ultimately our goal is to create uniform procedures for both residential and commercial inspections.

If you have questions about the expanded inspections program or have a problem that is difficult to resolve, contact Bill Thomas, Inspections Division Manager, 503-823-1054, or email, thomasb@ci.portland.or.us.

Reporting, continued from page 2

of the property and a description of the construction being done to accurately complete the form.

When BDS receives the form, we will review our permit records before taking any action. We'll send an inspector to the site if it seems likely the work requires a permit and we show no record of one being issued.

To learn more about permits and how to report work being done without a permit, go to the BDS Web site, www.bds.ci.portland.or.us.

If you have questions, call Residential Combination Inspections (for one and two family residences), 503-823-7388, or Commercial Inspections (for multi-family residences, commercial and retail structures), 503-823-7303.

New pilot programs to speed landscape inspections, reduce City costs

In the past decade, landscaping requirements for newly developed sites, as well as commercial and residential construction, have enhanced Portland's reputation as one of the country's most livable cities. Unfortunately, the cost of providing city inspections for all landscaping installations is very expensive.

To help maintain important landscaping standards, the Bureau of Development Services (BDS) is launching two new landscape certification programs Self-Certification and Third-Party Landscape Certification. These programs, which go into effect March 1, 2004, will begin as pilot projects to improve the City's compliance and enforcement efforts without creating significant new costs for our customers or the City. BDS will continue to ask for input from users and community members before the programs are permanently adopted.

Only "required" landscaping under commercial (CO), site development (SD) or one and two family residential (RS) building permits will be included in the new certification pilot program. Required landscaping includes, but is not limited to, perimeter plantings, parking lot landscaping, environmental zone mitigation plantings and certain stormwater management facilities.

The Landscape Self-Certification program will apply to most one and two family residential development and SD or CO permit landscape installations with five or fewer trees or a landscaped area of 5,000 square-feet or less. After the landscaping is installed, the customer submits a copy of the landscape or site plan and a completed certification form to the BDS Site Development Section. The certification then becomes part of the property's permanent record.

The Third-Party Landscape Certification program covers SD and CO landscape installations of more than five trees or 5,000 square-feet and Environmental Zone plantings on the same scale done with an RS permit. Under this program, a qualified third party submits a completed certification form or a letter and a copy of the landscape plan to the BDS Site Development Section. Again, the certification becomes part of the permanent record.

The third-party certifier is normally the landscape designer of record. Qualified third-party landscape certifiers include all registered landscape architects and registered landscape contractors. Certified or Registered Consulting Arborists may certify the tree plantings. And individuals with bachelor's or more advanced degrees in botany, environmental science or ecology may certify plantings for environmental mitigation.

BDS will conduct "spot checks" of certified landscape installations. If installations do not agree with what was certified, BDS may delay finaling the building permit or issuing the final certificate of occupancy until the landscaping is correctly installed.

For more information about the new landscape certification pilot programs, call Donna Ault, 503-823-6892, or visit the Web site, www.bds.ci.portland.or.us.

Cook starts small restaurant with common sense

Mike Betteridge loves to cook, and he wanted to build a commercial kitchen where he could make affordable gourmet meals to sell to the public. "It was a goofy idea," he says, "But I thought if I could open a place with low overhead, I could make gourmet food, serve it quickly and get a percentage of the fast food market."

So in late summer 2002, Betteridge scrawled his plans for the restaurant on a piece of paper and went to the City to get the permits to build it. The staff explained that he needed to have his plans drawn up professionally. He followed their instructions and came back.

The process took longer than he had hoped because he started out with very little money. But he learned that the City's plan reviewers and inspectors were willing to help him avoid trouble spots in advance. "I felt like the City gave me good service," said Betteridge.

"I had to install three restrooms and make them handicapped accessible. I had to rewire and replumb everything. The people at the City told me what I needed to do, I did it and had very few problems. One of the plumbing inspectors even gave me his personal number to call if I had questions," he said.

After 25 years of working in other people's kitchens, Betteridge opened Your Gourmet at 8000 NE Glisan in October 2003. "I have a restaurant that seats 14 people and a kitchen that you have to walk across. I'm a cook, who turned an old dress shop into a restaurant. I hired certified electrical and plumbing contractors to do the work, because they know the codes. During inspections, any problems were small ones."

"The inspectors just want you to do it right," he said. "It's just common sense."

Public service veteran named ONI Director

Jimmy Brown, who spent many of his 25 years in public service bringing together diverse groups and solving tough problems, was named Director of the Office of Neighborhood Involvement (ONI) by Commissioner Randy Leonard.

Brown began his career with Portland's Human Resources Bureau in 1974, then moved to the Multnomah County Department of Community Justice in 1984, where he started the county's Gang Resource Intervention Team (GRIT) in 1987. He also worked with a number of citizen advocates as a founding member of the Youth Gang Task Force.

Most recently, Brown brought together county agencies with many school districts and social service organizations to create the Multnomah County School Attendance Initiative, which provides family services and case management to reduce truancy in youth, grades K-10.

Brown, who is a Portland native, sees his position as ONI Director as a new kind of challenge. By the time he officially began with ONI on December 1, he had already met with 30 community groups and individuals in addition to each of the seven neighborhood coalition offices.

"My primary goal for ONI is to improve communication among the neighborhood coalitions, neighborhood associations and ONI," Brown said. "I believe there is a groundswell of citizen participation simply waiting to

be invited to the table." He also wants to explore community-based service centers, which would provide critical City services, such as housing nuisance inspections, crime prevention, licensing and payment offices, at the local neighborhood level.

"I believe that an open dialog needs to occur between neighborhood coalitions and City bureaus, especially those bureaus which focus on development," he said. "I think ONI can play a major role in bringing together citizens and City staff, because it's clear to me both groups have the community's interest at heart."

The Public Involvement Task Force, made up of ONI staff, staff from other bureaus and community stakeholders, is currently examining the City's public involvement strategies. Brown is eager to hear what citizens and City staff think of the Office of Neighborhood Involvement's current outreach activities before considering any changes.

In the meantime, Jimmy Brown says, "I want to keep my finger on the pulse of the community when it comes to questions about ONI. As I do, I will learn more about how ONI's efforts are perceived and be better able to coordinate the work of my staff to ensure neighborhood involvement."

If you have questions or comments, call Jimmy Brown, 503-823-4134, or email, jbrown@ci.portland.or.us.

Commissioner Leonard selected for national award

The National Association of Home Builders has chosen Portland City Commissioner Randy Leonard to receive its "Local Official of the Year" award. The commissioner was nominated by the Metropolitan Home Builders Association for his efforts in 2003, which helped businesses to move more easily through the steps in the development review and permitting processes.

Mayor Katz assigned the Bureau of Development Services to Leonard in March 2003, BDS Staff has attended customer service and focus groups with builders and developers to identify problems. A streamlined approach to plan intake and permitting for remodelers has resulted with a single inspector assigned to each project and it has also provided process management services.

The commissioner followed through on the issue of rising permit fees, holding BDS' fees steady with no increase for 2003. "During a time when Portland has one of the highest unemployment rates in the nation, and so many are trying to make do with less, it would be unconscionable for us in government to ask for more," he said.

He also stood firm on issues of housing affordability and home ownership when the Planning Commission voted to eliminate infill development on narrow lots. Leonard worked closely with the HBA on an alternate proposal to address neighborhood concerns and helped gain City Council approval for the revised proposal. "These houses allow first time home buyers the opportunity to purchase a nice house in a good neighborhood," he said.

Commissioner Leonard will receive the award at the International Builders Show in Las Vegas on January 19.

2003 legislation to streamline construction processes

During the 2003 Oregon legislative session, lawmakers passed several bills that are intended to streamline the plan review and permitting processes statewide.

Construction industry professionals worked on the bills in conjunction with the Oregon Building Codes Division. These were only a few of the many bills pertaining to construction that were introduced during the session.

To see all the 2003 bills, their status and summaries, go to the Oregon Building Codes Division's Web site, www.cbs.state.or.us/external/bcd. Summarized below are those bills that will most likely affect our customers and the City's development services.

SB 711 - Plan Review and Code Requirements

Effective January 1, 2004, SB 711 allows the state Building Codes Division, in conjunction with the appropriate advisory board, to begin the rulemaking process when provisions of the state building code are unclear, in conflict with another code or when unique projects are not addressed by the code. The bill also allows architects and engineers, who are certified plans examiners, to approve certain light-frame residential plans, and it limits electrical and plumbing plan review requirements to complex systems and projects.

SB 713 - E-Government - One-Stop Business Compliance

Effective January 1, 2004, SB 713 directs the State Building Codes Division to research what is needed to create a statewide electronic building code permit system. SB 713 also allows the development of a pilot project in Clackamas, Washington and Multnomah Counties. Ultimately, the goal is to create a statewide system that contractors and developers can access more easily.

SB 714 - Statewide Alternative Inspection Program

Effective January 1, 2004, SB 714 creates a mandatory statewide "Minor Labels Program" for mechanical, electrical and commercial plumbing installations and allows the Building Codes Division to expand the current rules governing the program.

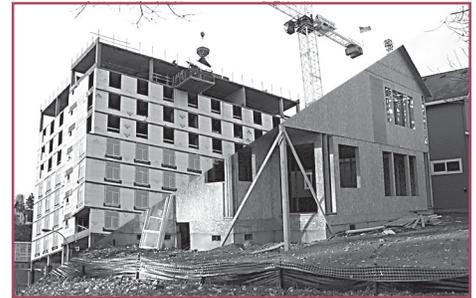
SB 715 - Rapid Approval for Critical Construction Projects

Effective January 1, 2004, SB 715 allows owners to request a Rapid Approval Assessment Team from the state to expedite building inspections on buildings that have been designated as necessary to the state's economic well-being. The City of Portland already has a program in place that accomplishes the intent of SB 715.

SB 906 - Changes to Building Code Structures Board

This bill was pieced together late in session from other bills which had stalled in committee. SB 906 accomplishes all of the following:

- Creates separate Residential Structures and Mechanical Boards out of the Building Code Structures Board and eliminates the Tri-County Building Industry Service Board;
- Replaces the One-and-Two-Family Dwelling code with the Low-Rise Residential Dwelling Code, which the Residential Structures Board administers;
- Requires electrical, plumbing, boiler and elevator licensees to wear visible identification while working and gives municipalities enforcement authority;
- Requires those who advertise electrical installation or repair to have an electrical contractor's license and gives the state authority to pursue compliance;
- Limits the licensing exemption for electrical installations performed by property owners and family members for residences and farms.



The Residential Structures Board goes into effect January 1, 2004; the Mechanical Board becomes effective July 1, 2004; and the other provisions of the bill are retroactive to August 21, 2003.

Another bill, **SB 710**, has elements of SB 906. This bill was still in committee when the session adjourned, making it likely to come up again if there is a special session or in the next legislative session in 2005. SB 710 would abolish the Tri-County Building Industry Service Board and expand the concept statewide through a system of regional administrators along with the one percent surcharge on building permits to cover program costs.

Though the effective date for most of the provisions of the bill is January 1, 2004, the rules by which these new laws will be administered are still being developed at the state level.

If you would like more information about the new laws as they pertain to work in Portland, contact Lori Graham, 503-823-3448, or email, grahaml@ci.portland.or.us.

How to do Business With the City After a Disaster



What can your business do to restore basic services to our community after a disaster?

- Do you have banks of computers or phones?
- Do you have large quantities of food, supplies, or equipment?
- Do you have equipment located in different parts of the region?



Rapid recovery depends
on local resources.

Sign up for the *Business Registry*, a list of local businesses willing to do business with the City or County in the event of a disaster. Apply on-line at <http://cityofportland.ebidsystems.com> or call the Portland Office of Emergency Management at 823-2077 for an application form.



New Building Code Requirements

- On October 1, 2003, amendments to the State of Oregon, Structural Specialty Code went into effect.
- The City of Portland offered a three month implementation period that ended on December 31, 2003.
- As of January 1, 2004, all projects will be reviewed using the new regulations.

Coming soon...

Details of the Living Smart Design Competition in the March edition of the Plans Examiner.



Portland's ombudsman turns conflict into communication

While the Office of the Ombudsman is not a regular stop for Bureau of Development Services customers, it is an option when conflict crops up and resolution seems out of reach. As a division of the City Auditor's Office, the Ombudsman is able to investigate complaints impartially and make timely recommendations that help to bridge the communications gap and resolve problems.

The Ombudsman is a resource for the public and City staff. And when a review determines a City bureau acted appropriately, the Ombudsman provides an explanation of why current bureau practices are acceptable and in the public's best interest.

Michael Mills heads the Office of the Ombudsman. He says, "It's no surprise that City bureaus with lots of public interaction end up with the most complaints. To our office, it's not the number of complaints, but how they are handled by the bureau that makes the difference."

The Bureau of Development Services has been working within its own ranks to improve customer service. In mid-2002, two BDS staff, Alisa Cour and Jackie Phillips, teamed up to accelerate reviews and responses on complaints. While change generally happens over time, Mills quickly saw the results as a positive step toward resolving some of the service issues that have troubled BDS.

Another step toward more responsive service came with the Mayor's regulatory reform initiatives, which continued under Commissioner Leonard. For instance, the "new owner grace period" gives new property owners more time to correct old violations before an additional penalty is issued. Mills says, "BDS accepted our recommendation not to limit the application of this grace period to only residential property. The results have proved to be very positive."

Monthly code enforcement fees also were a source of complaints investigated by the Ombudsman. "These fees do not lend themselves well to all situations and most often result in penalties that are disproportionately high compared to the violations," explained Mills. However, he found that some business owners saw the fees as a cost of doing business. They paid the fines refusing to correct the violations, making the penalties ineffective.

The Ombudsman's Office concluded that a one-time citation seemed like a more appropriate remedy and should replace the monthly fees. A second proposed alternative was to strictly control the fees to keep them from building up over time without communication between BDS and property owners. BDS is in the process of considering these recommendations.

If you are a City customer who believes your complaints are not being handled appropriately, the Office of Ombudsman is there to help. Stop by in person on the 3rd floor of City Hall, call 503-823-0144 or send an e-mail message to ombudsman@ci.portland.or.us. For additional detailed information, visit the Web site, www.portlandonline.com/auditor/ombudsman.

**The Plans Examiner is a bi-monthly publication of the City of Portland - Bureau of Development Services
Commissioner Randy Leonard, 503-823-4682**

How to Reach Us

Monday thru Friday
8:00 am to 5:00 pm

(e) = electronic messaging system, please leave detailed information and your call will be returned.

On the Internet visit:
www.bds.ci.portland.or.us
www.planning.ci.portland.or.us

Development Services Center

1900 SW Fourth Ave.
Hours:
7:30 am to 3:00 pm
Thursday evenings
5:00 pm to 7:30 pm

printed on recycled paper

BDS - Administration	503-823-7308
Building Code Questions	503-823-7310 (e, 4)
Fire Code Questions	503-823-7366
24-hour Inspection Request Recording	503-823-7000 (e)
Inspection Section, 1 & 2 Family Dwellings	503-823-7388
Commercial, Plumbing	503-823-7302
Building & Mechanical	503-823-7303
Electrical	503-823-7304
Development Services Center	503-823-7310
Development Services Center FAX	503-823-3018
Trade Permits	503-823-7363
Lunch & Learn Contact , Martha Shonya	503-823-7822
Newsletter Contact , Jackie Phillips	503-823-4017
Permit Status via FAX	503-823-7000 (4)
Permit Status via Voice Mail	503-823-7357
Permit Records	
Document Services / Current Applications	503-823-7357 (e)
Inspection Records / Finalled Permits	503-823-7660
Building Record Center FAX	503-823-7765
Septic Tanks / Cesspools	503-823-7247
Planning & Zoning , Information	503-823-7526

ENVIRONMENTAL SERVICES	
Development Assistance	503-823-7761
Construction & Demolition Recycling	503-823-7107
Industrial Source Control	503-823-7585

FIRE BUREAU	
Development Standards, Sprinklers, Alarms	
Rich Butcher	503-823-3802
Flammable Liquids, Tanks, Hazardous Processes	
Doug Friant	503-823-3935

TRANSPORTATION	
Development Requirements and/or Right-of-Way Policy	
Elizabeth Papadopoulos	503-823-7647
Minor Partitions, Cherrie Eudaly	503-823-7081
Local Improvement Districts, Andrew Aebi	503-823-5648
Street Permit Engineering, Jerry Markesino	503-823-7057
Transportation Plan Review,	
Richard Eisenhauer	503-823-7080
Systems Development Charge	
Richard Eisenhauer	503-823-7080

TREES – Urban Forestry (7:00 a.m. - 3:30 p.m.)	
Pruning/Planning/Removal Permits	
N / NE, Luke Miller	503-823-4511
NW / SW, Charley Davis	503-823-4523
Southeast, Ned Sodja	503-823-4440
Tree Cutting Ordinance, Frank Krawczyk	503-823-4011
Transportation Improvements, Joe Hintz	503-823-4025
Commercial Planning and Development	
Frank Krawczyk	503-823-4011
Residential Development and Improvement	
Myles Black	503-823-4018

WATER	
Water Service Information	503-823-7368
Hydrant Permits	503-823-7368
Plan Review	
Commercial, Tony Re	503-823-7400
Residential, Todd Aschoff / Mari Moore	503-823-7368
Subdivision Planning, Tony Re	503-823-7400
Backflow Valve Installation Requirements	
Dave Barrigan	503-823-7479

NOTE: EARLY CLOSURE OF DEVELOPMENT SERVICES CENTER ON FEBRUARY 11, 2004 AT 1:00 PM

FIND IT ONLINE

Get the paperless Plans Examiner

Now, you can subscribe to the Plans Examiner, find out what's coming up on the Lunch and Learn schedule and get Bureau of Development Services press releases online. Join our electronic mailing list. Go to the BDS Web site, www.bds.ci.portland.or.us/contact.htm, Choose "Join Our Mailing Lists" and pick which items you'd like to receive electronically. Enter your email address and click. It's that simple to subscribe or remove yourself from the list.



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We want to hear from you!

If you have comments about the Plans Examiner newsletter or have suggestions for stories you'd like to see covered in the future, please call Jackie Phillips, 503-823-4017