

ANNOTATED MINUTES

Monday, April 19, 1993 - 9:30 AM
Multnomah County Courthouse, Room 602

BUDGET WORK SESSION

WS-1 *The Board of County Commissioners, Sitting as the Budget Committee, to Review the 1993-94 Budget. Work Sessions are Open to the Public, but Public Testimony will be Heard at Public Hearings Only.*

BOARD DISCUSSION AND CONSENSUS OF WORK SESSION TOPICS. STAFF TO PREPARE AGENDA AND COORDINATE SCHEDULE FOR FRIDAY, APRIL 23; MONDAY, APRIL 26; AND WEDNESDAY, APRIL 28 BUDGET WORK SESSIONS. BOARD DISCUSSION ON PROPOSED BUDGET RESTORATIONS AND CUTS. DAVE WARREN, TAMARA HOLDEN, MARK MURRAY, BILLI ODEGAARD, TOM FRONK, JEANNE GOODRICH, LARRY AAB, GARY NAKAO AND BETSY WILLIAMS INPUT AND RESPONSE TO BOARD QUESTIONS.

Monday, April 19, 1993 - 1:30 - 5:00 PM
Multnomah County Courthouse, Room 602

PUBLIC HEARING

Acting Chair Henry C. Miggins convened the hearing at 1:37 p.m., with Vice-Chair Gary Hansen and Commissioners Sharron Kelley and Tanya Collier present, and Commissioner Dan Saltzman arriving at 1:40 p.m.

PH-1 *The Multnomah County Board of Commissioners, Sitting as the Budget Committee, Will Hold a Public Hearing to Receive Testimony on the 1993-94 Budget. The Hearing is Open to the Public and Any Member of the Public May Speak on the Budget.*

NIN McKELLAR, DEBORAH WOOD, LT. DAVE AUSTIN, DAN SIMPSON, MAJOR TOM SLYTER, JON BRADFORD, ALAN CRAWFORD, ED BLACKBURN, JUDGE LINDA BERGMAN, LAMONT WILKINS, TOM HOPKINS, THELMA GOLDEN, ARLENE COLLINS, MAYOR GUSSIE McROBERT, LARRY SANCHEZ, NORMAN BROWN, BARB SANDER, MELVIN ELDRIDGE, MARY ANNE HANNIBAL, PAM PATTON, ALEJANDRA de SOLORIC, MARGARITA GUERRERO, DIXIE STEVENS, BILL FRONK, JEFF AUGUSTINE, NONI SAUSSER, NAN WALLER, VICKI SMEAD, KAY TORAN, RON HOWARD, LYNN TRAVIS, DONNA LEE SATHER, NELL NAJSIER, MARGE JOZSA, CARRIE REGIMBAL, SUSANA ROMO, DR. CATHERINE COLLIER, ROBERT WHITE, SANTOS ORTEGA, DR. JAMES THAYER AND JEAN PIERCE

TESTIMONY AND RESPONSE TO BOARD QUESTIONS.

There being no further business, the hearing was adjourned at 4:00 p.m.

**OFFICE OF THE BOARD CLERK
for MULTNOMAH COUNTY, OREGON**

Deborah L. Bogstad
Deborah L. Bogstad

*Tuesday, April 20, 1993 - 9:00 AM
Multnomah County Courthouse, Room 602*

EXECUTIVE SESSION

E-1 *Pursuant to ORS 192.660 (1)(d), the Multnomah County Board of Commissioners
Will Meet in Executive Session for the Purpose of Discussing Labor Negotiations.*

EXECUTIVE SESSION HELD.

*Tuesday, April 20, 1993 - 9:45 AM
Multnomah County Courthouse, Room 602*

AGENDA REVIEW

B-1 *Review of Agenda for Regular Meeting of April 22, 1993.*

*Tuesday, April 20, 1993 - 1:30 PM
Multnomah County Courthouse, Room 602*

BOARD BRIEFINGS

B-2 *1993 Legislative Update on Child Care Teams and Other Children's Services Issues.
Presented by Fred Neal, Howard Klink and Michael Morrissey.*

**HOWARD KLINK, FRED NEAL AND MICHAEL MORRISSEY
PRESENTATION AND RESPONSE TO BOARD QUESTIONS.
MR. NEAL AND JANICE DRUIAN PRESENTATION.**

B-3 *Land Conservation and Development Commission (LCDC) Report on the County's
Periodic Review Order for Land Outside the Metropolitan Urban Growth Boundary
and Outside the Columbia River Gorge National Scenic Area. Presented by R. Scott
Pemble.*

**SCOTT PEMBLE AND GARY CLIFFORD PRESENTATION
AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION.**

Tuesday, April 20, 1993 - 5:30 - 8:00 PM
Multnomah County Courthouse, Room 602

PUBLIC HEARING

Acting Chair Henry C. Miggins convened the hearing at 5:35 p.m., with Vice-Chair Gary Hansen, Commissioners Sharron Kelley, Tanya Collier and Dan Saltzman present.

PH-2 The Multnomah County Board of Commissioners, Sitting as the Budget Committee, Will Hold a Public Hearing to Receive Testimony on the 1993-94 Budget. The Hearing is Open to the Public and Any Member of the Public May Speak on the Budget.

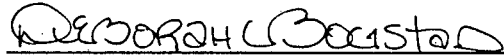
NANCY MILLER, SHARY MASON, CORBETT GORDON, TIM BARRINGER, SUSAN IMBRIE, SANDRA BAGER, CHARLOTTE COOK, VICTOR GALINDO, JOANNE, AND JULIE MANDISH TESTIMONY AND RESPONSE TO BOARD QUESTIONS. DAVE WARREN RESPONSE TO BOARD QUESTIONS. BOARD COMMENTS.

The hearing was recessed at 6:25 p.m. and reconvened at 6:45 p.m.

ODALIS PEREZ TESTIMONY AND RESPONSE TO BOARD QUESTIONS.

There being no further business, the hearing was adjourned at 7:00 p.m.

OFFICE OF THE BOARD CLERK
for MULTNOMAH COUNTY, OREGON



Deborah L. Bogstad

Wednesday, April 21, 1993 - 1:30 - 5:00 PM
Multnomah County Courthouse, Room 602

PUBLIC HEARING

Acting Chair Henry C. Miggins convened the hearing at 1:32 p.m., with Commissioners Sharron Kelley and Tanya Collier present, Vice-Chair Gary Hansen arriving at 1:35 p.m., and Commissioner Dan Saltzman arriving at 1:36 p.m.

PH-3 The Multnomah County Board of Commissioners, Sitting as the Budget Committee, Will Hold a Public Hearing to Receive Testimony on the 1993-94 Budget. The Hearing is Open to the Public and Any Member of the Public May Speak on the Budget.

PAULINE ANDERSON, DAVID MESIROW, ERIC LICHTENTHALER, ARLENE COLLINS, JIM BAILEY, BOB

BERNSTEIN, RAY ALLEN, TERRELL JOHNSON, GARY BUTTRAM, JOHN NEELANDS, KIM JOHNSON, RICK MATTER, EDNA WHITE, KATHY HAMMOCK, MICHAELLA MINICHIEFF AND RED SLYTER TESTIMONY AND RESPONSE TO BOARD QUESTIONS.

The hearing was recessed at 2:52 p.m. and reconvened at 3:00 p.m.

ANN UHLER, CARLOS RIVERA, TONYA JONES, KATHERINE PEDERSEN, MARILYN MILLER, GRETCHEN KAFOURY, LINDA TYON, SHIRLEY WARREN, JESSE WATSON, IRIS BELL, GERALD McFADDEN, BARBARA GRIDER, CAROL HALVORSON AND GRANT HIGGINSON TESTIMONY AND RESPONSE TO BOARD QUESTIONS.

The hearing was recessed at 4:00 p.m. and reconvened at 4:40 p.m., with Vice-Chair Gary Hansen and Commissioners Tanya Collier and Dan Saltzman present.

JULIANNE RYAN AND CHILD SHANNON CASEY RYAN TESTIMONY IN SUPPORT OF HOME HEALTH FUNDING.

There being no further business, the hearing was adjourned at 4:43 p.m.

OFFICE OF THE BOARD CLERK
for MULTNOMAH COUNTY, OREGON

Deborah L. Bogstad
Deborah L. Bogstad

Wednesday, April 21, 1993 - 4:01 - 4:35 PM
Multnomah County Courthouse, Room 602

BUDGET WORK SESSION

WS *The Board of County Commissioners, Sitting as the Budget Committee, to Review the 1993-94 Budget. Work Sessions are Open to the Public, but Public Testimony will be Heard at Public Hearings Only.*

BEN BUISMAN, JANICE DRUIAN, TOM SIMPSON, DAVE WARREN PRESENTATION AND RESPONSE TO BOARD QUESTIONS.

Thursday, April 22, 1993 - 9:30 AM
Multnomah County Courthouse, Room 602

REGULAR MEETING

Acting Chair Henry C. Miggins convened the meeting at 9:32 a.m., with Vice-Chair

Gary Hansen, Commissioners Sharron Kelley, Tanya Collier and Dan Saltzman present.

CONSENT CALENDAR

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER COLLIER, THE CONSENT CALENDAR (ITEMS C-1 THROUGH C-13) WAS UNANIMOUSLY APPROVED.

NON-DEPARTMENTAL

- C-1 *In the Matter of the Appointment of PAULINE ANDERSON as CHAIR of the MULTNOMAH COUNTY CHILDREN AND YOUTH SERVICES COMMISSION*
- C-2 *In the Matter of the Appointments of CHRISTINE LIGHTCAP and VIVIAN STARBUCK to the MULTNOMAH COUNTY PARKS ADVISORY COMMITTEE*

JUSTICE SERVICES

SHERIFF'S OFFICE

- C-3 *In the Matter of the Transfer of Found/Unclaimed or Unidentified Property (List 93-1) to the Multnomah County Sheriff's Office D.A.R.E. Program*
- C-4 *Ratification of Intergovernmental Agreement Contract #800643, Between the Multnomah County Sheriff's Office and the U.S. Forest Service, Providing Enforcement of Federal and State Laws and Regulations in the National Forest Lands within the Columbia Gorge Ranger District and the Columbia River Gorge National Scenic Area, for the Period May 27, 1993 through September 6, 1993*
- C-5 *Ratification of Intergovernmental Agreement Contract #800014, Between the Oregon State Marine Board and Multnomah County, Providing Funding for the Sheriff's Office River Patrol to Conduct Marine Law Enforcement Activities, for the Period July 1, 1993 through June 30, 1994*

DEPARTMENT OF SOCIAL SERVICES

- C-6 *Ratification of Amendment No. 1 to Intergovernmental Agreement Contract #100083, Between Multnomah County, Mental and Emotional Disabilities Program Office of Child and Adolescent Mental Health and University Hospital, Reducing Medicaid Funds to More Accurately Reflect Usage, for the Period July 1, 1992 through June 30, 1993*
- C-7 *Ratification of Intergovernmental Agreement Contract #104273, Between Multnomah County and Institute of Aging, Portland State University, Allocating \$4,000 of Robert Wood Johnson Grant Funds to Purchase Development of a Training Program and Provision of Technical Assistance on the Subject of Resident Councils in Assisted Living Facilities for the Elderly, for the Period March 15, 1993 through June 30, 1994*
- C-8 *Ratification of Intergovernmental Agreement Contract #104333, Between Multnomah*

County and the City of Fairview, Allocating \$265,327 of Federal Community Development Block Grant Funds for the Completion of Fairview Avenue Sanitary Sewer Trunk Replacement, Fairview Creek Culvert Replacement, Depot Street Storm Drainage and Bridge Street Culvert Projects, for the Period Upon Execution through September 30, 1994

- C-9 *Ratification of Intergovernmental Agreement Contract #104363, Between Multnomah County and the City of Portland, Allocating \$50,000 of Federal Community Development Block Grant Funds to Plan and Develop a 7.14 Acre Park, Including Site Preparation, Installation of Fence, Pathways, Sports Court and Landscaping, (Harney Park Improvement Project) for the Period Upon Execution through September 30, 1994*

DEPARTMENT OF ENVIRONMENTAL SERVICES

- C-10 *ORDER in the Matter of the Execution of Deed D930868 Upon Complete Performance of a Contract to Donna L. Schlappie*

ORDER 93-108.

- C-11 *ORDER in the Matter of the Execution of Deed D930879 Upon Complete Performance of a Contract to Scott Espedal*

ORDER 93-109.

- C-12 *ORDER in the Matter of the Execution of Deed D930880 Upon Complete Performance of a Contract to Linda George*

ORDER 93-110.

- C-13 *ORDER in the Matter of Cancellation of Land Sale Contract 15395R Between Multnomah County, Oregon and Virgil Van Winkle Upon Default of Payments and Performance of Covenants*

ORDER 93-111.

REGULAR AGENDA

NON-DEPARTMENTAL

- R-1 *Presentation of Certificates of Appreciation to Developmental Disabilities Program Employees Jean Leake, Sandra Potter and Mary Alice Williams, in Recognition of their Concern For and Dedication to the Citizens of Multnomah County*

ACTING CHAIR MIGGINS PRESENTED CERTIFICATES TO JEAN LEAKE, SANDRA POTTER AND MARY ALICE WILLIAMS. IN THE COURSE OF THEIR EMPLOYMENT, MS. LEAKE PREVENTED A HOUSE FIRE AND SAVED THE LIFE OF A CLIENT, AND MS. POTTER AND MS. WILLIAMS HELPED PROVIDE FIRST AID, SUPPORT AND EMERGENCY

ASSISTANCE FOLLOWING A DRIVE BY SHOOTING INCIDENT.

- R-2 *PROCLAMATION in the Matter of Proclaiming April 28, 1993 as WORKERS MEMORIAL DAY*

COMMISSIONER HANSEN MOVED, SECONDED BY COMMISSIONER KELLEY, APPROVAL OF R-2. GLORIA SCHIEWE OF NORTHWEST OREGON LABOR COUNCIL ADVISED THAT 10,000 WORKERS ARE KILLED AND 6,000,000 INJURED BY WORK PLACE HAZARDS EACH YEAR AND INVITED BOARD TO A NOON RALLY AT THE STATE CAPITOL ON APRIL 28, 1993. PROCLAMATION READ. PROCLAMATION 93-112 UNANIMOUSLY APPROVED.

- R-3 *RESOLUTION in the Matter of Declaring April 18-24, 1993 as the Week of the Young Child, a Project of the National Association for the Education of Young Children*

COMMISSIONER KELLEY MOVED AND COMMISSIONER SALTZMAN SECONDED, APPROVAL OF R-3. NANCY CHAPIN PRESENTATION AND INFORMATION ON PIONEER COURTHOUSE SQUARE WALK AND RALLY. RESOLUTION 93-113 UNANIMOUSLY APPROVED.

- R-4 *RESOLUTION in the Matter of the Preservation and Maximization of Jail Beds and Other Corrections Related Activities in Multnomah County, Oregon*

COMMISSIONER SALTZMAN MOVED AND COMMISSIONER HANSEN SECONDED, TO TABLE R-4. DAN FAGALY AND DAN GARDNER TESTIMONY AND RESPONSE TO BOARD QUESTIONS. R-4 UNANIMOUSLY TABLED.

- R-5 *Consideration and Request for Approval in the Matter of the Consolidated Cable Communications Commission Budget for Fiscal Year 1993-94*

COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF R-5. COMMISSIONERS SALTZMAN AND COLLIER COMMENTS IN OPPOSITION TO BUDGET. BOARD COMMENTS. BUDGET APPROVED WITH COMMISSIONERS KELLEY, HANSEN AND MIGGINS VOTING AYE AND COMMISSIONERS COLLIER AND SALTZMAN VOTING NO. JACK ADAMS COMMENTS.

- R-6 *RESOLUTION in the Matter of the Adoption of a Supplemental Budget for Multnomah County, Oregon, for the Fiscal Year July 1, 1992 to June 30, 1993, and Making the Appropriations Thereunder, Pursuant to ORS 294.435*

DAVE WARREN EXPLANATION. COMMISSIONER HANSEN

MOVED AND COMMISSIONER SALTZMAN SECONDED, APPROVAL OF R-6. COMMISSIONER COLLIER MOVED, SECONDED BY COMMISSIONER KELLEY, TO AMEND RESOLUTION BY REMOVING COLUMBIA VILLA CONSTRUCTION FROM THE COP PACKAGE. MR. WARREN RESPONSE TO BOARD QUESTIONS AND COMMENTS. MOTION TO AMEND FAILED WITH COMMISSIONERS KELLEY AND COLLIER VOTING AYE AND COMMISSIONERS HANSEN, SALTZMAN AND MIGGINS VOTING NO. MOTION TO APPROVE RESOLUTION 93-114 UNANIMOUSLY APPROVED.

- R-7** *Second Reading and Possible Adoption of an ORDINANCE Transferring Jurisdiction Over Way of Necessity Proceedings to the Multnomah County Circuit Court*

PROPOSED ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. HEARING HELD, NO ONE WISHED TO TESTIFY. UPON MOTION OF COMMISSIONER HANSEN, SECONDED BY COMMISSIONER KELLEY, ORDINANCE 759 UNANIMOUSLY APPROVED.

- R-8** *First Reading of an ORDINANCE Relating to Benefits for Employees Not Covered by Collective Bargaining Agreement, and Amending Ordinance No. 740*

PROPOSED ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER COLLIER MOVED, AND COMMISSIONER HANSEN SECONDED, APPROVAL OF THE FIRST READING. HEARING HELD, NO ONE WISHED TO TESTIFY. FIRST READING UNANIMOUSLY APPROVED. SECOND READING SCHEDULED FOR 9:30 AM, THURSDAY, APRIL 29, 1993.

- R-9** *Request for a Blanket Exception to the Vacant Position Deletion Policy and Hiring Freeze for Case Managers, Case Management Assistants and Mental Health Consultants Positions Within the Mental Health, Youth and Family Services Division*

UPON MOTION OF COMMISSIONER HANSEN, SECONDED BY COMMISSIONER SALTZMAN, R-9 WAS UNANIMOUSLY APPROVED.

- R-10** *Request for an Exception to the Vacant Position Deletion Policy and Hiring Freeze for 1.0 FTE Program Supervisor Position in the Mental Health, Youth and Family Services Division, Alcohol and Drug Program*

COMMISSIONER KELLEY MOVED AND COMMISSIONER SALTZMAN SECONDED, APPROVAL OF R-10. SUSAN CLARK RESPONSE TO BOARD QUESTIONS. BOARD COMMENTS. COMMISSIONER COLLIER COMMENTS IN OPPOSITION. EXCEPTION APPROVED WITH COMMISSIONERS KELLEY, HANSEN, SALTZMAN AND

**MIGGINS VOTING AYE AND COMMISSIONER COLLIER
VOTING NO.**

- R-11** *Request for an Exception to the Vacant Position Deletion Policy and Hiring Freeze for a .50 FTE Community Information Specialist Position in the Mental Health, Youth and Family Services Division, Alcohol and Drug Program*

COMMISSIONER HANSEN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-11. MS. CLARK RESPONSE TO BOARD QUESTIONS. BOARD COMMENTS. EXCEPTION APPROVED WITH COMMISSIONERS KELLEY, HANSEN, SALTZMAN AND MIGGINS VOTING AYE AND COMMISSIONER COLLIER VOTING NO.

JUSTICE SERVICES

SHERIFF'S OFFICE

- R-12** *In the Matter of a Request for Exemption from the Hiring Restriction Policy for Corrections Technician Positions within the Sheriff's Population Release Office*

UPON MOTION OF COMMISSIONER HANSEN, SECONDED BY COMMISSIONER COLLIER, R-12 WAS UNANIMOUSLY APPROVED.

DISTRICT ATTORNEY

- R-13** *Request for Approval to Apply for a \$35,826 Children's Justice Act Multidisciplinary Team Grant, No Matching Funds Required, to Provide Training Activities for Persons Involved in Reporting, Identifying, Interviewing and Investigating Allegations of Child Abuse, for the Period May 1, 1993 through September 29, 1994*

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER SALTZMAN, R-13 WAS UNANIMOUSLY APPROVED.

DEPARTMENT OF HEALTH

- R-14** *Request for Approval to Respond to a National Center for Nursing Research Request for Applications Entitled "Community Interventions in Adolescent Health Promotion", No Matching Funds Required, Proposing a Three Year Sexual Abstinence Model Project Targeted to Middle School Aged Children*

COMMISSIONER KELLEY MOVED AND COMMISSIONER COLLIER SECONDED APPROVAL OF R-14. COMMISSIONER COLLIER THANKED HEALTH DEPARTMENT FOR PURSUING GRANT, ADVISING IT WILL PROVIDE STATISTICS NECESSARY TO DETERMINE HOW TO BEST SERVE ADOLESCENTS. R-14 UNANIMOUSLY APPROVED.

DEPARTMENT OF SOCIAL SERVICES

- R-15 *Budget Modification DSS #50 Requesting Authorization to Decrease the Mental Health, Youth and Family Services Division, Mental and Emotional Disabilities Program Budget by (\$960,524) to Reflect State Mental Health Division Revenue Changes through Amendment #41*
- R-16 *Budget Modification DSS #51 Requesting Authorization to Increase Budgeted Revenue in the Mental Health, Youth and Family Services Division, Developmental Disabilities Program Budget by \$2,071,065 to Reflect Changes in State Mental Health Division Revenue through Amendment #41*
- R-17 *Budget Modification DSS #52 Requesting Authorization to Decrease the Mental Health, Youth and Family Services Division, Alcohol and Drug Program Budget by (\$85,545) to Reflect Changes in State Mental Health Division Revenue through Amendment #41*
- R-18 *Budget Modification DSS #53 Requesting Authorization to Increase the Mental Health, Youth and Family Services Division, Office of Child and Adolescent Mental Health Services Budget by \$79,458 to Reflect Changes in State Mental Health Division Revenue through Amendment #41*

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER SALTZMAN, ITEMS R-15 THROUGH R-18 WERE UNANIMOUSLY APPROVED. AT THE SUGGESTION OF VICE-CHAIR HANSEN, CHAIR MIGGINS DIRECTED THAT FUTURE BUDGET MODIFICATIONS REFLECTING ROUTINE ADJUSTMENTS TO CONTRACTS BE PLACED ON THE CONSENT CALENDAR.

DEPARTMENT OF ENVIRONMENTAL SERVICES

- R-19 *RESOLUTION in the Matter of Amending the Order of the Board Adopted February 26, 1987, Regarding Rules of Procedure for the Conduct of Hearings Pursuant to MCC Chapter 8.10 (Animal Control)*

UPON MOTION OF COMMISSIONER HANSEN, SECONDED BY COMMISSIONER KELLEY, RESOLUTION 93-115 WAS UNANIMOUSLY APPROVED.

- R-20 *ORDER in the Matter of the Quitclaim of a Reversionary Interest in Lot 16, Block 7, NORTH IRVINGTON to the City of Portland*

UPON MOTION OF COMMISSIONER HANSEN, SECONDED BY COMMISSIONER KELLEY, ORDER 93-116 WAS UNANIMOUSLY APPROVED.

- R-21 *ORDER in the Matter of the Conveyance to the City of Portland a One (1) Foot Strip (Street Plug) Owned by the County and Authorizing the Board to Execute Bargain and Sale Deed*

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER COLLIER, ORDER 93-117 WAS UNANIMOUSLY APPROVED.

R-22 *ORDER in the Matter of the Transfer of Tax Foreclosed Property to the City of Portland, Oregon, Bureau of Parks and Recreation for a Public Purpose*

COMMISSIONER KELLEY MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF R-22. COMMISSIONER SALTZMAN COMMENTS. ORDER 93-118 UNANIMOUSLY APPROVED.

QUARTERLY CONTINGENCY REQUESTS

R-23 *Budget Modification DSS #48 Requesting Transfer of \$104,000 General Fund Contingency to the Juvenile Justice Division Budget, to Purchase Meals for Juveniles in Detention*

COMMISSIONER KELLEY MOVED AND COMMISSIONER SALTZMAN SECONDED, APPROVAL OF R-23. MARIE EIGHMEY EXPLANATION. BUDGET MODIFICATION UNANIMOUSLY APPROVED.

R-24 *Budget Modification DSS #49 Requesting Transfer of \$7,000 General Fund Contingency to the Juvenile Justice Division Budget, to Fund Program Director Position in the Victim Offender Reconciliation Program, for the Period April through June, 1993*

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER COLLIER, R-24 WAS UNANIMOUSLY APPROVED.

R-25 *Budget Modification NOND #34 Requesting Transfer of \$14,663 General Fund Contingency to the Transportation Division Budget, to Pay County's Share of Metro I-205/Milwaukie Preliminary Alternatives Analysis*

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER SALTZMAN, R-25 WAS UNANIMOUSLY APPROVED.

NON-DEPARTMENTAL

R-26 *RESOLUTION in the Matter of an Intergovernmental Agreement with the Portland School District and the City of Portland Designating PILOT Fund Use and Transferring Title to Kennedy School*

COMMISSIONER HANSEN MOVED AND COMMISSIONER SALTZMAN SECONDED, APPROVAL OF R-26. COMMISSIONER HANSEN MOVED AND COMMISSIONER SALTZMAN SECONDED, TO AMEND RESOLUTION BY

DELETING REFERENCES TO DEVELOPMENT COSTS AT JEFFERSON HIGH. BOARD DISCUSSION AND COMMENTS. RON FOSSUM RESPONSE TO BOARD QUESTIONS. AMENDMENT UNANIMOUSLY APPROVED. MR. FOSSUM TESTIMONY IN SUPPORT OF RESOLUTION. BOARD COMMENTS. RESOLUTION 93-119 AS AMENDED UNANIMOUSLY APPROVED.

R-27

RESOLUTION in the Matter of Inviting Public Comment on and Board Consideration of the Functions and Procedures of the Multnomah County Boards of Equalization

COMMISSIONER COLLIER THANKED LAURELHURST NEIGHBORHOOD ASSOCIATION AND CAROLINE MILLER FOR ASSISTANCE IN DEVELOPING RESOLUTION. COMMISSIONER COLLIER MOVED, SECONDED BY COMMISSIONER KELLEY, APPROVAL OF R-27. COMMISSIONER COLLIER EXPLANATION.

CAROLINE MILLER TESTIFIED IN SUPPORT OF PROPOSED RESOLUTION AND SUGGESTED VARIOUS CLARIFICATIONS TO SECTIONS PERTAINING TO COMPENSATION, IMPLEMENTATION AND EVALUATION PROCEDURE OF THE CHAIRS AND MEMBERS OF THE BOARD; AND DEVELOPING QUALIFICATIONS OF THE MEMBERS OF BOE. MS. MILLER DISCUSSED THE NEED TO ADDRESS SAFETY ISSUES FOR MEMBERS OF THE BOE.

RICHARD BOGUE RELATED HIS EXPERIENCE BEFORE BOE AND SUGGESTED THAT CLEAR AND CONCISE INSTRUCTIONAL MATERIAL BE AVAILABLE FOR PEOPLE APPEALING TO BOE, AND THAT AN OMBUDSMAN BE ESTABLISHED TO WORK WITH CITIZENS TO ENSURE THEY HAVE MET APPEAL CRITERIA BEFORE IT IS PRESENTED TO BOARD. MR. BOGUE SUBMITTED A LETTER FROM HIS NEIGHBOR MARY RUTH PEARSON, RELATING HER EXPERIENCE BEFORE THE BOE.

PAULINE GUSTAFSON TESTIFIED THAT SHE HAS BEEN THROUGH A BOE APPEALS PROCESS AND EXPRESSED CONCERN REGARDING QUALIFICATIONS AND ACCOUNTABILITY OF BOE MEMBERS, SUGGESTING A NEED FOR TRAINING AND EVALUATION PROCEDURES.

GORDON JOHNSTON TESTIFIED IN SUPPORT OF PROPOSED RESOLUTION, SUGGESTING THE FORMAT FOR INFORMATION REGARDING THE APPEALS PROCESS BE REVIEWED AND MADE MORE CONCISE AND CITIZEN USER FRIENDLY. MR. JOHNSTON EXPRESSED THE NEED TO REEVALUATE HOW OFTEN PEOPLE SERVE ON THE

BOE AND SPOKE AGAINST SEEKING A POTENTIAL BOE MEMBER BASED ONLY UPON ECONOMIC, PHYSICAL AND/OR RACIAL QUALIFICATIONS RATHER THAN EDUCATION AND SKILL. MR. JOHNSTON SUGGESTED AMENDING THE PROPOSED RESOLUTION PERTAINING TO DEVELOPING QUALIFICATIONS, TO INCLUDE BOARD OF RATIO REVIEW MEMBERS.

ACTING CHAIR MIGGINS EXPLAINED THAT STATE LAW REQUIRES SPECIFIC REPRESENTATION OF BOARD OF RATIO REVIEW MEMBERS

COMMISSIONER COLLIER REPORTED THAT COUNTY COUNSEL SUGGESTS THE WORD COMPENSATION IMPLIES THAT BOE MEMBERS ARE EMPLOYEES AND REQUESTED THAT MR. KRESSEL SUGGEST ANOTHER TERM.

BOARD COMMENTS AND DISCUSSION.

ROBIN HUNTINGTON TESTIFIED IN SUPPORT OF PROPOSED RESOLUTION, SUGGESTING IMPROVEMENTS TO THE CITIZEN INFORMATION ON APPEALS PROCESS, AND REQUIRING THAT BOE MEMBERS BE FAIR AND OBJECTIVE AND HAVE TECHNICAL TRAINING AND EXPERTISE EVIDENCED BY PASSAGE OF A TEST. MR. HUNTINGTON RECOMMENDED THAT THE BOE SCHEDULE HEARINGS EVERY TEN MINUTES RATHER THAN FIVE, THAT A TEN PAGE LIMIT BE ESTABLISHED, AND REQUIRING CITIZENS TO PROVIDE THREE COPIES OF THEIR MATERIALS FOR SUBMITTAL TO THE BOARD.

FOLLOWING BOARD DISCUSSION IN WHICH VICE-CHAIR HANSEN SUGGESTED A ONE OR TWO WEEK SET OVER IN ORDER TO INCORPORATE ALL THE SUGGESTED CHANGES AND ADDRESS THE TASK FORCE ISSUE, COMMISSIONER COLLIER EXPLAINED THE PROPOSED RESOLUTION SETS OUT PARAMETERS OF WHAT THE TASK FORCE WILL BE LOOKING AT AND THAT UPON ITS PASSAGE, THE COUNTY WILL ESTABLISH THE TASK FORCE WITH GOALS, OBJECTIVES AND CLEAR DIRECTION.

UPON MOTION OF COMMISSIONER COLLIER, SECONDED BY COMMISSIONER KELLEY, IT WAS UNANIMOUSLY APPROVED THAT ITEM TWO OF THE PROPOSED RESOLUTION BE AMENDED TO READ "DEVELOP QUALIFICATIONS FOR MEMBERS OF THE BOARD OF EQUALIZATION AND THE BOARD OF RATIO REVIEW".

COMMISSIONER COLLIER SUGGESTED THAT THE TASK FORCE DETERMINE THE QUALIFICATIONS.

UPON MOTION OF COMMISSIONER COLLIER, SECONDED BY COMMISSIONER KELLEY, IT WAS UNANIMOUSLY APPROVED THAT ITEM SEVEN OF THE PROPOSED RESOLUTION BE AMENDED TO READ "CLEARLY STATE THE METHOD FOR REIMBURSING MEMBERS OF THE BOARD OF EQUALIZATION."

UPON MOTION OF COMMISSIONER COLLIER, SECONDED BY COMMISSIONER KELLEY, IT WAS UNANIMOUSLY APPROVED THAT ITEM NINE BE ADDED TO THE PROPOSED RESOLUTION TO READ "EXAMINE THE LENGTH OF TIME AVAILABLE TO CITIZENS TO PRESENT AN APPEAL."

IN RESPONSE TO QUESTIONS OF CHAIR MIGGINS REGARDING ESTABLISHMENT OF THE TASK FORCE, COMMISSIONER COLLIER EXPLAINED THAT THE RESOLUTION SETS OUT THE PARAMETERS OF WHAT THE TASK FORCE WILL BE LOOKING AT AND THAT SHE WANTS TO GIVE CLEAR DIRECTION TO THE TASK FORCE. FOLLOWING BOARD COMMENTS AND DISCUSSION, IT WAS DECIDED THE PROPOSED TASK FORCE GOALS, OBJECTIVES, ASSIGNMENT, TIMELINES AND MEMBERSHIP APPOINTEES WILL BE SUBMITTED FOR FINAL BOARD DECISION AT A LATER DATE.

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER COLLIER, IT WAS UNANIMOUSLY APPROVED THAT ITEM SIX OF THE PROPOSED RESOLUTION BE AMENDED TO READ "ASSESSMENT" INSTEAD OF EVALUATION.

COMMISSIONER KELLEY THANKED COMMISSIONER COLLIER AND THE LAURELHOOD NEIGHBORHOOD ASSOCIATION FOR THEIR EFFORTS.

RESOLUTION 93-120 UNANIMOUSLY APPROVED AS AMENDED.

R-28 *Request for Policy Direction to Address the Necessity for Additional Space for Mental Health in the Pittock Building, and Remodel Issues Related to the Walnut Park Building*

R-29 *RESOLUTION in the Matter of Authorizing and Approving of the Issuance and Negotiated Sale of Certificates of Participation, Series 1993C, as Additional Certificates in an Amount Not to Exceed \$1,480,000; Approving and Authorizing a Supplement to the County Health Systems Facilities Master Lease-Purchase*

Agreement; Approving of a Certificate Purchase Agreement and a Final and Preliminary Official Statement; and Designating an Authorized Representative, Appointing Underwriter, Trustee, Bond Counsel and Financial Advisor

- R-30 RESOLUTION in the Matter of the Declaration of Official Intent to Reimburse Capital Expenditures with Proceeds of the Certificates of Participation, Series 1993C, Issued to Finance the Expansion, Remodeling and Equipping of the North Portland Health Clinic (CONTINUED FROM APRIL 8, 1993).

UPON MOTION OF COMMISSIONER COLLIER, SECONDED BY COMMISSIONER KELLEY, IT WAS UNANIMOUSLY APPROVED THAT R-28, R-29 AND R-30 BE CONTINUED TO THURSDAY, APRIL 29, 1993.

PUBLIC COMMENT

- R-31 Opportunity for Public Comment on Non-Agenda Matters. Testimony Limited to Three Minutes Per Person.

MELINDA ANN WILSON EXPLAINED THAT WHEN SHE APPEARED BEFORE THE BOARD PREVIOUSLY SHE INCORRECTLY STATED THAT SHE WAS SPEAKING ON BEHALF OF THE COUNCIL FOR PROSTITUTION ALTERNATIVES, BUT WAS ACTUALLY SPEAKING ON HER OWN BEHALF. MS. WILSON READ AN ORIGINAL PROSE.

COMMISSIONER SALTZMAN REMINDED THAT TODAY IS EARTH DAY.

There being no further business, the meeting was adjourned at 11:55 a.m.

OFFICE OF THE BOARD CLERK
for MULTNOMAH COUNTY, OREGON

Deborah L. Bogstad

Deborah L. Bogstad

Thursday, April 22, 1993 - 7:00 - 9:00 PM
Sheriff's Office Auditorium
12240 NE Glisan

PUBLIC HEARING

Acting Chair Henry C. Miggins convened the meeting at 7:15 p.m., with Vice-Chair Gary Hansen, Commissioners Sharron Kelley and Tanya Collier present, and Commissioner Dan Saltzman arriving at 8:00 p.m. due to attendance at another meeting.

- PH-4 The Multnomah County Board of Commissioners, Sitting as the Budget Committee, Will Hold a Public Hearing to Receive Testimony on the 1993-94 Budget. The

Hearing is Open to the Public and Any Member of the Public May Speak on the Budget.

BETEW HAGOS, MOHAMED HASSAN, ED ANISUCUENKO, YELENA LEVITSKAYA, DANG LE, JEFF MACDONALD, LEE CHA, JEAN DeMASTER, NAOMI GROSZ, ANATOLIY GONCHARUK, VOLOSHINA LYUBOV, JUDITH DeCOURCY, BRUCE KWANSNEY, PRANSEVICH TAMARA, WILLIAM R. MADDOX, RICHARD HAZELTINE, CARRIE KARR, LONGSAN TZE, KHAM-ONE KEOPRASEUTH, SALLY LUCERO, KEN JOHNSON, SHARYN KEENEY, KHANTHALY THAMMAVONG, GERARDO MADAIGAL, SANDY CARTER TEMPLEMAN, ALEJANDRO de SOLARIO, JUAN MACIAS, CESAR GULIERRER, DONNA SATHER AND GEORGE GILLESPIE TESTIMONY.

There being no further business, the meeting was adjourned at 8:30 p.m.

**OFFICE OF THE BOARD CLERK
for MULTNOMAH COUNTY, OREGON**

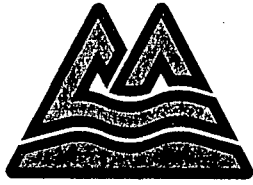
Deborah L. Bogstad
Deborah L. Bogstad

*Friday, April 23, 1993 - 9:30 AM
Multnomah County Courthouse, Room 602*

BUDGET WORK SESSION

WS-2 *The Multnomah County Board of Commissioners, Sitting as the Budget Committee, Will Hold a Work Session to Review the 1993-94 Budget. The Work Session is Open to the Public, However Public Testimony Will Not be Taken.*

JIM EMERSON, JERRY BITLE, WAYNE GEORGE, DAVE WARREN, BETSY WILLIAMS, MIKE OSWALD, BEN BUISMAN, MARK MURRAY, TOM SIMPSON AND DAVE BOYER PRESENTATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION.



MULTNOMAH COUNTY OREGON

OFFICE OF THE BOARD CLERK
SUITE 1510, PORTLAND BUILDING
1120 S.W. FIFTH AVENUE
PORTLAND, OREGON 97204

| BOARD OF COUNTY COMMISSIONERS | | |
|-------------------------------|--------------|----------|
| GLADYS McCOY • | CHAIR • | 248-3308 |
| DAN SALTZMAN • | DISTRICT 1 • | 248-5220 |
| GARY HANSEN • | DISTRICT 2 • | 248-5219 |
| TANYA COLLIER • | DISTRICT 3 • | 248-5217 |
| SHARRON KELLEY • | DISTRICT 4 • | 248-5213 |
| CLERK'S OFFICE • | 248-3277 • | 248-5222 |

AGENDA

MEETINGS OF THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS

FOR THE WEEK OF

APRIL 19 - 23, 1993

Monday, April 19, 1993 - 9:30 AM - Budget Work Session. . . .Page 2

Monday, April 19, 1993 - 1:30 PM - Budget Hearing.. . . .Page 2

Tuesday, April 20, 1993 - 9:00 AM - Executive SessionPage 2

Tuesday, April 20, 1993 - 9:45 AM - Agenda ReviewPage 2

Tuesday, April 20, 1993 - 1:30 PM - Board BriefingsPage 2

Tuesday, April 20, 1993 - 5:30 PM - Budget Hearing.Page 3

Wednesday, April 21, 1993 - 1:30 PM - Budget Hearing.Page 3

Thursday, April 22, 1993 - 9:30 AM - Regular Meeting.Page 3

Thursday, April 22, 1993 - 7:00 PM - Budget HearingPage 8

Friday, April 23, 1993 - 9:30 AM - Budget Work Session. . . .Page 8

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

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

Thursday, 10:00 PM, Channel 49 for Columbia Cable (Vancouver) subscribers

Friday, 6:00 PM, Channel 22 for Paragon Cable (Multnomah East) subscribers

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

INDIVIDUALS WITH DISABILITIES MAY CALL THE OFFICE OF THE BOARD CLERK AT 248-3277 OR 248-5222 OR MULTNOMAH COUNTY TDD PHONE 248-5040 FOR INFORMATION ON AVAILABLE SERVICES AND ACCESSIBILITY.

Monday, April 19, 1993 - 9:30 AM

Multnomah County Courthouse, Room 602

BUDGET WORK SESSION

- WS-1 The Board of County Commissioners, Sitting as the Budget Committee, to Review the 1993-94 Budget. Work Sessions are Open to the Public, but Public Testimony will be Heard at Public Hearings Only.
-

Monday, April 19, 1993 - 1:30 - 5:00 PM

Multnomah County Courthouse, Room 602

PUBLIC HEARING

- PH-1 The Multnomah County Board of Commissioners, Sitting as the Budget Committee, Will Hold a Public Hearing to Receive Testimony on the 1993-94 Budget. The Hearing is Open to the Public and Any Member of the Public May Speak on the Budget.
-

Tuesday, April 20, 1993 - 9:00 AM

Multnomah County Courthouse, Room 602

EXECUTIVE SESSION

- E-1 Pursuant to ORS 192.660 (1)(d), the Multnomah County Board of Commissioners Will Meet in Executive Session for the Purpose of Discussing Labor Negotiations. (9:00 AM TIME CERTAIN, 45 MINUTES REQUESTED.)
-

Tuesday, April 20, 1993 - 9:45 AM

Multnomah County Courthouse, Room 602

AGENDA REVIEW

- B-1 Review of Agenda for Regular Meeting of April 22, 1993.
-

Tuesday, April 20, 1993 - 1:30 PM

Multnomah County Courthouse, Room 602

BOARD BRIEFINGS

- B-2 1993 Legislative Update on Child Care Teams and Other Children's Services Issues. Presented by Fred Neal, Howard Klink and Michael Morrissey. (45 MINUTES REQUESTED.)
- B-3 Land Conservation and Development Commission (LCDC) Report on the County's Periodic Review Order for Land Outside the Metropolitan Urban Growth Boundary and Outside the Columbia

Tuesday, April 20, 1993 - 5:30 - 8:00 PM

Multnomah County Courthouse, Room 602

PUBLIC HEARING

- PH-2 The Multnomah County Board of Commissioners, Sitting as the Budget Committee, Will Hold a Public Hearing to Receive Testimony on the 1993-94 Budget. The Hearing is Open to the Public and Any Member of the Public May Speak on the Budget.
-

Wednesday, April 21, 1993 - 1:30 - 5:00 PM

Multnomah County Courthouse, Room 602

PUBLIC HEARING

- PH-3 The Multnomah County Board of Commissioners, Sitting as the Budget Committee, Will Hold a Public Hearing to Receive Testimony on the 1993-94 Budget. The Hearing is Open to the Public and Any Member of the Public May Speak on the Budget.
-

Thursday, April 22, 1993 - 9:30 AM

Multnomah County Courthouse, Room 602

REGULAR MEETING

CONSENT CALENDAR

NON-DEPARTMENTAL

- C-1 In the Matter of the Appointment of PAULINE ANDERSON as CHAIR of the MULTNOMAH COUNTY CHILDREN AND YOUTH SERVICES COMMISSION
- C-2 In the Matter of the Appointments of CHRISTINE LIGHTCAP and VIVIAN STARBUCK to the MULTNOMAH COUNTY PARKS ADVISORY COMMITTEE

JUSTICE SERVICES

SHERIFF'S OFFICE

- C-3 In the Matter of the Transfer of Found/Unclaimed or Unidentified Property (List 93-1) to the Multnomah County Sheriff's Office D.A.R.E. Program
- C-4 Ratification of Intergovernmental Agreement Contract #800643, Between the Multnomah County Sheriff's Office and the U.S. Forest Service, Providing Enforcement of Federal

and State Laws and Regulations in the National Forest Lands within the Columbia Gorge Ranger District and the Columbia River Gorge National Scenic Area, for the Period May 27, 1993 through September 6, 1993

- C-5 Ratification of Intergovernmental Agreement Contract #800014, Between the Oregon State Marine Board and Multnomah County, Providing Funding for the Sheriff's Office River Patrol to Conduct Marine Law Enforcement Activities, for the Period July 1, 1993 through June 30, 1994

DEPARTMENT OF SOCIAL SERVICES

- C-6 Ratification of Amendment No. 1 to Intergovernmental Agreement Contract #100083, Between Multnomah County, Mental and Emotional Disabilities Program Office of Child and Adolescent Mental Health and University Hospital, Reducing Medicaid Funds to More Accurately Reflect Usage, for the Period July 1, 1992 through June 30, 1993
- C-7 Ratification of Intergovernmental Agreement Contract #104273, Between Multnomah County and Institute of Aging, Portland State University, Allocating \$4,000 of Robert Wood Johnson Grant Funds to Purchase Development of a Training Program and Provision of Technical Assistance on the Subject of Resident Councils in Assisted Living Facilities for the Elderly, for the Period March 15, 1993 through June 30, 1994
- C-8 Ratification of Intergovernmental Agreement Contract #104333, Between Multnomah County and the City of Fairview, Allocating \$265,327 of Federal Community Development Block Grant Funds for the Completion of Fairview Avenue Sanitary Sewer Trunk Replacement, Fairview Creek Culvert Replacement, Depot Street Storm Drainage and Bridge Street Culvert Projects, for the Period Upon Execution through September 30, 1994
- C-9 Ratification of Intergovernmental Agreement Contract #104363, Between Multnomah County and the City of Portland, Allocating \$50,000 of Federal Community Development Block Grant Funds to Plan and Develop a 7.14 Acre Park, Including Site Preparation, Installation of Fence, Pathways, Sports Court and Landscaping, (Harney Park Improvement Project) for the Period Upon Execution through September 30, 1994

DEPARTMENT OF ENVIRONMENTAL SERVICES

- C-10 ORDER in the Matter of the Execution of Deed D930868 Upon Complete Performance of a Contract to Donna L. Schlappie
- C-11 ORDER in the Matter of the Execution of Deed D930879 Upon Complete Performance of a Contract to Scott Espedal
- C-12 ORDER in the Matter of the Execution of Deed D930880 Upon Complete Performance of a Contract to Linda George
- C-13 ORDER in the Matter of Cancellation of Land Sale Contract

15395R Between Multnomah County, Oregon and Virgil Van Winkle Upon Default of Payments and Performance of Covenants

REGULAR AGENDA

NON-DEPARTMENTAL

- R-1 Presentation of Certificates of Appreciation to Developmental Disabilities Program Employees Jean Leake, Sandra Potter and Mary Alice Williams, in Recognition of their Concern For and Dedication to the Citizens of Multnomah County (9:30 AM TIME CERTAIN REQUESTED)
- R-2 PROCLAMATION in the Matter of Proclaiming April 28, 1993 as WORKERS MEMORIAL DAY (9:30 AM TIME CERTAIN REQUESTED)
- R-3 RESOLUTION in the Matter of Declaring April 18-24, 1993 as the Week of the Young Child, a Project of the National Association for the Education of Young Children
- R-4 RESOLUTION in the Matter of the Preservation and Maximization of Jail Beds and Other Corrections Related Activities in Multnomah County, Oregon
- R-5 Consideration and Request for Approval in the Matter of the Consolidated Cable Communications Commission Budget for Fiscal Year 1993-94
- R-6 RESOLUTION in the Matter of the Adoption of a Supplemental Budget for Multnomah County, Oregon, for the Fiscal Year July 1, 1992 to June 30, 1993, and Making the Appropriations Thereunder, Pursuant to ORS 294.435
- R-7 Second Reading and Possible Adoption of an ORDINANCE Transferring Jurisdiction Over Way of Necessity Proceedings to the Multnomah County Circuit Court
- R-8 First Reading of an ORDINANCE Relating to Benefits for Employees Not Covered by Collective Bargaining Agreement, and Amending Ordinance No. 740
- R-9 Request for a Blanket Exception to the Vacant Position Deletion Policy and Hiring Freeze for Case Managers, Case Management Assistants and Mental Health Consultants Positions Within the Mental Health, Youth and Family Services Division
- R-10 Request for an Exception to the Vacant Position Deletion Policy and Hiring Freeze for 1.0 FTE Program Supervisor Position in the Mental Health, Youth and Family Services Division, Alcohol and Drug Program
- R-11 Request for an Exception to the Vacant Position Deletion Policy and Hiring Freeze for a .50 FTE Community Information Specialist Position in the Mental Health, Youth and Family Services Division, Alcohol and Drug Program

JUSTICE SERVICES

SHERIFF'S OFFICE

- R-12 In the Matter of a Request for Exemption from the Hiring Restriction Policy for Corrections Technician Positions within the Sheriff's Population Release Office

DISTRICT ATTORNEY

- R-13 Request for Approval to Apply for a \$35,826 Childrens Justice Act Multidisciplinary Team Grant, No Matching Funds Required, to Provide Training Activities for Persons Involved in Reporting, Identifying, Interviewing and Investigating Allegations of Child Abuse, for the Period May 1, 1993 through September 29, 1994

DEPARTMENT OF HEALTH

- R-14 Request for Approval to Respond to a National Center for Nursing Research Request for Applications Entitled "Community Interventions in Adolescent Health Promotion", No Matching Funds Required, Proposing a Three Year Sexual Abstinence Model Project Targeted to Middle School Aged Children

DEPARTMENT OF SOCIAL SERVICES

- R-15 Budget Modification DSS #50 Requesting Authorization to Decrease the Mental Health, Youth and Family Services Division, Mental and Emotional Disabilities Program Budget by (\$960,524) to Reflect State Mental Health Division Revenue Changes through Amendment #41
- R-16 Budget Modification DSS #51 Requesting Authorization to Increase Budgeted Revenue in the Mental Health, Youth and Family Services Division, Developmental Disabilities Program Budget by \$2,071,065 to Reflect Changes in State Mental Health Division Revenue through Amendment #41
- R-17 Budget Modification DSS #52 Requesting Authorization to Decrease the Mental Health, Youth and Family Services Division, Alcohol and Drug Program Budget by (\$85,545) to Reflect Changes in State Mental Health Division Revenue through Amendment #41
- R-18 Budget Modification DSS #53 Requesting Authorization to Increase the Mental Health, Youth and Family Services Division, Office of Child and Adolescent Mental Health Services Budget by \$79,458 to Reflect Changes in State Mental Health Division Revenue through Amendment #41

DEPARTMENT OF ENVIRONMENTAL SERVICES

- R-19 RESOLUTION in the Matter of Amending the Order of the Board Adopted February 26, 1987, Regarding Rules of Procedure for the Conduct of Hearings Pursuant to MCC Chapter 8.10 (Animal Control)

- R-20 ORDER in the Matter of the Quitclaim of a Reversionary Interest in Lot 16, Block 7, NORTH IRVINGTON to the City of Portland
- R-21 ORDER in the Matter of the Conveyance to the City of Portland a One (1) Foot Strip (Street Plug) Owned by the County and Authorizing the Board to Execute Bargain and Sale Deed
- R-22 ORDER in the Matter of the Transfer of Tax Foreclosed Property to the City of Portland, Oregon, Bureau of Parks and Recreation for a Public Purpose

QUARTERLY CONTINGENCY REQUESTS

- R-23 Budget Modification DSS #48 Requesting Transfer of \$104,000 General Fund Contingency to the Juvenile Justice Division Budget, to Purchase Meals for Juveniles in Detention
- R-24 Budget Modification DSS #49 Requesting Transfer of \$7,000 General Fund Contingency to the Juvenile Justice Division Budget, to Fund Program Director Position in the Victim Offender Reconciliation Program, for the Period April through June, 1993
- R-25 Budget Modification NOND #34 Requesting Transfer of \$14,663 General Fund Contingency to the Transportation Division Budget, to Pay County's Share of Metro I-205/Milwaukie Preliminary Alternatives Analysis

NON-DEPARTMENTAL

- R-26 RESOLUTION in the Matter of an Intergovernmental Agreement with the Portland School District and the City of Portland Designating PILOT Fund Use and Transferring Title to Kennedy School
- R-27 RESOLUTION in the Matter of Inviting Public Comment on and Board Consideration of the Functions and Procedures of the Multnomah County Boards of Equalization (30 MINUTES REQUESTED)
- R-28 Request for Policy Direction to Address the Necessity for Additional Space for Mental Health in the Pittock Building, and Remodel Issues Related to the Walnut Park Building (30 MINUTES REQUESTED)
- R-29 RESOLUTION in the Matter of Authorizing and Approving of the Issuance and Negotiated Sale of Certificates of Participation, Series 1993C, as Additional Certificates in an Amount Not to Exceed \$1,480,000; Approving and Authorizing a Supplement to the County Health Systems Facilities Master Lease-Purchase Agreement; Approving of a Certificate Purchase Agreement and a Final and Preliminary Official Statement; and Designating an Authorized Representative, Appointing Underwriter, Trustee, Bond Counsel and Financial Advisor (CONTINUED FROM APRIL 8, 1993)

- R-30 RESOLUTION in the Matter of the Declaration of Official Intent to Reimburse Capital Expenditures with Proceeds of the Certificates of Participation, Series 1993C, Issued to Finance the Expansion, Remodeling and Equipping of the North Portland Health Clinic (CONTINUED FROM APRIL 8, 1993)

PUBLIC COMMENT

- R-31 Opportunity for Public Comment on Non-Agenda Matters. Testimony Limited to Three Minutes Per Person.
-

Thursday, April 22, 1993 - 7:00 - 9:00 PM

Sheriff's Office Auditorium
12240 NE Glisan

PUBLIC HEARING

- PH-4 The Multnomah County Board of Commissioners, Sitting as the Budget Committee, Will Hold a Public Hearing to Receive Testimony on the 1993-94 Budget. The Hearing is Open to the Public and Any Member of the Public May Speak on the Budget.
-

Friday, April 23, 1993 - 9:30 AM

Multnomah County Courthouse, Room 602

BUDGET WORK SESSION

- WS-2 The Multnomah County Board of Commissioners, Sitting as the Budget Committee, Will Hold a Work Session to Review the 1993-94 Budget. The Work Session is Open to the Public, However Public Testimony Will Not be Taken.
-

Meeting Date: ~~APR 13 1993~~ APR 20 1993

Agenda No.: ~~257~~ E-1

(Above space for Clerk's Office Use)

AGENDA PLACEMENT FORM
(For Non-Budgetary Items)

SUBJECT: Collective Bargaining

AGENDA REVIEW/
BOARD BRIEFING _____ REGULAR MEETING April 13, 1993 9 AM
(date) (date)

DEPARTMENT Office of the Chair DIVISION Labor Relations

CONTACT Ken Upton TELEPHONE 5053

PERSON(S) MAKING PRESENTATION Ken Upton

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☒ POLICY DIRECTION ☐ APPROVAL

ESTIMATED TIME NEEDED ON BOARD AGENDA: 45 minutes

CHECK IF YOU REQUIRE OFFICIAL WRITTEN NOTICE OF ACTION TAKEN: _____

BRIEF SUMMARY (include statement of rationale for action requested,
as well as personnel and fiscal/budgetary impacts, if applicable):

Executive Session:

Collective Bargaining pursuant to ORS 192.660(1)(d).

BOARD OF
COUNTY COMMISSIONERS
1993 APR -6 AM 10:48
MULTNOMAH COUNTY
OREGON

(If space is inadequate, please use other side)

SIGNATURES:

ELECTED OFFICIAL _____

Or

DEPARTMENT MANAGER Ken Upton

(All accompanying documents must have required signatures)

Executive Session
Juvenile Groupworkers
Board Policy Level Issues
and
Issues of Interest
(April 20, 1993)

#1

| | | |
|-------------------|---|---|
| <u>Article 3</u> | <u>Recognition</u> | a. Use of volunteers. |
| <u>Article 13</u> | <u>General Work Provisions</u> | a. 8 versus 10 hour day. b. "Running" lunch and breaks. c. Briefing time. - Right to extend work day. |
| <u>Article 14</u> | <u>Compensation</u> | a. Wages and step structure. b. Pay period. c. Working in a higher class. d. Double time and double time and one half. e. Voluntary overtime. f. Standby pay. g. Translation and second language requirement. |
| <u>Article 16</u> | <u>Pensions</u> | a. Supplemental Retirement Plan - 15%. |
| <u>Article 17</u> | <u>Discipline</u> | a. Technical. |
| <u>Article 20</u> | <u>Productivity Training and Performance Evaluation</u> | a. See Article 22 below. |
| <u>Article 22</u> | <u>Shift and Work Assignment</u> | a. Major dispute regarding legality of Union proposal with respect to right to assign. (See also single coverage.) |
| <u>Article 24</u> | <u>General Provisions</u> | a. Technical. b. Safety Committee. c. Single coverage. |
| <u>Article 27</u> | <u>Termination</u> | a. Two versus three years. |
| <u>Addendum A</u> | <u>Wages</u> | a. As per Article 14 above. |
| <u>Addendum D</u> | <u>Leadworkers</u> | a. Selection. b. "Always filled." |



MULTNOMAH COUNTY, OREGON

BOARD OF COUNTY COMMISSIONERS

GLADYS McCOY
DAN SALTZMAN
GARY HANSEN
TANYA COLLIER
SHARRON KELLEY

PLANNING & BUDGET
PORTLAND BUILDING
1120 S.W. FIFTH - ROOM 1400
P. O. BOX 14700
PORTLAND, OR 97214
PHONE (503)248-3883

TO: Ken Upton
FROM: Dave Warren *DCW*
DATE: April 13, 1993
SUBJECT: Costs of the Juvenile Groupworker Unit - Reflecting April 2 Payroll Data

BASIC COSTS OF THE BARGAINING UNIT

Because the estimates of the cost of various proposals to and from the bargaining unit depend on the costs of individuals, not positions, this memorandum relies on a list generated from the County payroll system April 2, 1993. This list shows the following distribution of employees in positions represented by the bargaining unit.

| <u>APRIL ACTUAL</u> | <u>Job Class</u> | <u>Number</u> | <u>Current Base</u> |
|---------------------|---------------------------|---------------|---------------------|
| | Juvenile Groupworker | 51 | 1,247,901 |
| | Juvenile Groupworker/Lead | 5 | 132,617 |
| | Juvenile Groupworker Supv | 4 | 112,685 |
| | Bargaining Unit Totals | 62 | 1,493,203 |

"ROLLUP" COSTS

Every dollar the County pays this bargaining unit triggers the contribution of another 30.04 cents on behalf of the employee for other kinds of compensation. These costs are called "rollup" costs in the rest of the memorandum. The following table shows the kind of costs, rates, and the amount those rates cost the County for the employees on the payroll as of April 1993.

| <u>1992-3 "Rollup" Costs</u> | <u>Percent</u> | <u>Amount</u> |
|------------------------------|----------------|---------------|
| FICA | 7.65% | 114,230 |
| PERS | 19.00% | 283,709 |
| Tri-Met | 0.37% | 5,525 |
| Workers' Comp | 1.30% | 19,412 |
| Liability | 0.37% | 5,525 |
| Retiree Medical | 1.10% | 16,425 |
| Unemployment | 0.25% | 3,733 |
| Total | 30.04% | 448,559 |

COST TO THE COUNTY OF A 1% INCREASE IN PAY

Because of the rollup cost, each 1% increase in the cost of the bargaining unit translates into \$19,418.

94JVSUM3.XLS

| | Current Cost | County Proposal | County Alternative | Union Alternative |
|-----------------------------------|--------------|-----------------|--------------------|----------------------|
| | | 4%-3-3%-3.5% | 4%-3-3%-3.5% | 4%-3-3%-3.5% |
| | | | Plus 2 Steps | Trim and add 2 steps |
| | | | | |
| 1992-93 | | | | |
| Groupworkers | 1,622,770 | 1,700,262 | 1,704,954 | 1,747,240 |
| Groupworker/ Lead | 172,455 | 180,682 | 181,873 | 183,936 |
| Groupworker Supv | 146,535 | 153,538 | 154,705 | 154,705 |
| Total | 1,941,760 | 2,034,482 | 2,041,532 | 2,085,881 |
| | | | | |
| 1993-94 | | | | |
| Groupworkers | 1,643,479 | 1,822,186 | 1,835,276 | 1,877,797 |
| Groupworker/ Lead | 174,491 | 193,463 | 194,699 | 196,608 |
| Groupworker Supv | 147,594 | 163,603 | 168,603 | 168,603 |
| Total | 1,965,564 | 2,179,252 | 2,198,578 | 2,243,008 |
| | | | | |
| 1994-95 | | | | |
| Groupworkers | 1,638,404 | 1,880,089 | 1,927,888 | 1,943,520 |
| Groupworker/ Lead | 174,491 | 197,880 | 202,841 | 200,954 |
| Groupworker Supv | 142,437 | 169,329 | 174,504 | 174,504 |
| Total | 1,955,332 | 2,247,298 | 2,305,233 | 2,318,978 |
| | | | | |
| Three Year Cost | | | | |
| Groupworkers | 4,904,653 | 5,402,537 | 5,468,118 | 5,568,557 |
| Groupworker/ Lead | 521,437 | 572,025 | 579,413 | 581,498 |
| Groupworker Supv | 436,566 | 486,470 | 497,812 | 497,812 |
| Total | 5,862,656 | 6,461,032 | 6,545,343 | 6,647,867 |
| | | | | |
| Three Year Increase | | 598,376 | 682,687 | 785,211 |
| Three Year % Increase | | 10.21% | 11.64% | 13.39% |
| | | | | |
| 3 Year Cost Without Steps | 5,825,280 | 6,415,094 | 6,415,094 | 6,415,094 |
| Three Year Increase without Steps | | 552,438 | 552,438 | 552,438 |
| Three Year % Increase | | 9.42% | 9.42% | 9.42% |
| | | | | |
| 3 Year Cost of Steps | 37,376 | 45,938 | 130,249 | 232,773 |
| % Cost of Steps | 0.64% | 0.78% | 2.22% | 3.97% |
| | | | | |
| Difference in Step Costs | | 8,562 | 92,873 | 195,397 |
| | | | | |

**MULTNOMAH COUNTY OREGON**GLADYS MCCOY
COUNTY CHAIREMPLOYEE SERVICES
FINANCE
LABOR RELATIONS
PLANNING & BUDGET
RISK MANAGEMENT(503) 248-5015
(503) 248-3312
(503) 248-5135
(503) 248-3883
(503) 248-3797

(503) 248-5170 TDD

PORTLAND BUILDING
1120 S.W. FIFTH, 14TH FLOOR
P.O. BOX 14700
PORTLAND, OREGON 97214PURCHASING, CONTRACTS
& CENTRAL STORES

(503) 248-5111

2505 S.E. 11TH, 1ST FLOOR
PORTLAND, OREGON 97202**M E M O R A N D U M**

TO: Ken Upton
Labor Relations

FROM: Colette Umbras *CW*
Employee Services Division

DATE: February 25, 1993

SUBJECT: Juvenile Groupworker Exams - 1992

We tested for Juvenile Groupworkers in January and August 1992. The statistics are as follows:

JANUARY 1992

| | |
|--------------------------------|-----|
| Total Applications Received | 107 |
| Met Minimum Qualifications | 86 |
| Qualified for Oral Examination | 61 |
| Passed Oral Examination | 56 |
| Number Hired | 19 |

(All hired had scores higher than 82, and were hired at Step 1 of the salary range)

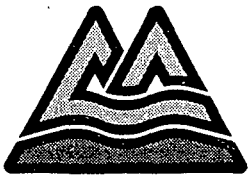
AUGUST 1992

| | |
|--------------------------------|-----|
| Total Applications Received | 127 |
| Met Minimum Qualifications | 74 |
| Qualified for Oral Examination | 55 |
| Passed Oral Examination | 44 |
| Number Hired | 10 |

(All hired had scores higher than 87, and were hired at Step 1 of the salary range)

If you need any other information, please call me.

666ES

**MULTNOMAH COUNTY OREGON**GLADYS MCCOY
COUNTY CHAIREMPLOYEE SERVICES
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PORTLAND, OREGON 97214PURCHASING, CONTRACTS
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2505 S.E. 11TH, 1ST FLOOR
PORTLAND, OREGON 97202**M E M O R A N D U M**

TO: Board of County Commissioners

FROM: Kenneth Upton, Labor Relations Manager 

DATE: April 8, 1993

SUBJECT: Collective Bargaining - Juvenile Groupworkers

I have scheduled an executive session with the Board for April 13, 9:00 - 9:45 a.m. in the above cited matter. I will also update you with respect to other collective bargaining matters. Hopefully the session will not take the full length of time, but I wish to assure full opportunity for the Board to ask questions, have Board dialogue and to give me needed policy directions. The more desirable format of a separate session was not practicable in this case, since a final mediation session is scheduled for April 14. As I indicated in a prior substantive memorandum on this topic (Attachment A), I have avoided an executive session on this topic due to the busy budget season, but the Union has now initiated interest arbitration. This session will thus probably be the final opportunity to avoid an interest arbitration. Attached also is the County's letter of submission (Attachment B) which lists the outstanding Articles in bold. The Union's letter of submission continues to contain permissive subjects of bargaining, and this office is in the process of initiating an appropriate legal response, i.e., an Unfair Labor Practice charge.

If you have any initial questions or concerns, or desire a personal briefing prior to the executive session, please call (x5053).

c/confidential: Harold Ogburn
Jim Anderson
Rich Scott

File: Juvenile Groupworker Negotiations Binder

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MULTNOMAH COUNTY OREGON

GLADYS MCCOY
COUNTY CHAIR

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2505 S.E. 11TH, 1ST FLOOR
PORTLAND, OREGON 97202

MEMORANDUM

TO: Board of County Commissioners

FROM: Kenneth Upton, Labor Relations Manager 

DATE: February 25, 1993

SUBJECT: Mediation - Juvenile Groupworkers - Local 88

The mediation session with the above cited group is scheduled for March 4, although this may be delayed due to an illness in Jim Smith's family. Given the heavy Board schedule associated with the budget process, I hesitate to call an executive session regarding this unit until absolutely necessary, but I feel compelled to at least lay out in a bit more detail the status of a few particulars. I will call each of you to determine if you wish a private briefing.

1. Pension

Like virtually all employees with a connection to the criminal justice system, the Groupworkers are pursuing Police and Fire retirement. The reason is obvious. The benefit per years of service is 2% of Final Average Salary, as opposed to 1.67%. Furthermore, Police and Fire employees have a "normal" retirement age of 55 as opposed to 58 for general employees. County Counsel has advised that extension of P & F to these employees is a prohibited subject of bargaining, i.e., it is illegal. The Union is thus pursuing an alternative, a 15% payment to a special retirement fund for each employee. Candidly, in light of proposed legislation to reduce pension benefits for public employees, the chances of the Union prevailing with such a special pension proposal would appear slender in the current environment.

2. Wages

This unit wants more money and feels they have a mechanism, binding arbitration, to get it. Based on my unhappy experiences with the institution of binding arbitration, I would guess they are right. The higher percentage increases granted to Deputies and Corrections Officers has been documented by the auditor in his recent report. In fairness, however, my perception is that the Union would prefer a negotiated outcome. In pursuit of higher wages the Union has demanded parity with the Corrections Officers. This has a plausible note since both groups are strike-prohibited "guards" under the State Collective Bargaining Act.

Turning to comparisons with other organizations, a draft salary survey was completed in October for Juvenile Groupworkers and Groupworker Supervisors. The most relevant portion of this survey would appear to be as follows with the proposals cited being further discussed below:

| JUVENILE GROUPWORKER | | | | | | | | |
|---|-----|------------|-------------|---------|-------------|---------|------------------------------|---------|
| Employer | N= | Union Rep. | Hourly 7/92 | | Hourly 4/93 | | Hourly 4/93 with PERS Pickup | |
| | | | Entry | Top | Entry | Top | Entry | Top |
| Multnomah County (Current Wage) | 47 | AFSCME | \$11.14 | \$12.92 | \$11.14 | \$12.92 | \$11.81 | \$13.70 |
| Multnomah County (Proposal 1) | 47 | AFSCME | \$11.59 | \$13.44 | \$11.94 | \$13.84 | \$12.66 | \$14.67 |
| Multnomah County (Proposal 2) | 47 | AFSCME | \$11.59 | \$14.26 | \$11.94 | \$14.69 | \$12.66 | \$15.57 |
| Clark County | 13 | CCJA | \$8.83 | \$13.06 | \$8.83 | \$13.06 | \$8.83 | \$13.06 |
| Lane County | 12 | Non-Rep | \$13.18 | \$17.66 | \$13.18 | \$17.66 | \$13.97 | \$18.72 |
| Marion County | 5 | OPEU | \$10.64 | \$14.48 | \$11.27 | \$15.11 | \$11.94 | \$16.01 |
| State of Oregon | 206 | OPEU | \$8.41 | \$12.66 | \$8.66 | \$13.04 | \$9.66 | 14.54 |
| Washington County | 18 | Non-Rep | \$12.29 | \$17.33 | \$12.29 | \$17.33 | \$13.03 | \$18.37 |
| Non-Weighted Average (Others) % Multnomah County Above | | | \$10.67 | \$15.04 | \$10.85 | \$15.24 | \$11.49 | \$16.14 |
| • Current Wage | | | +4.2% | -16.4% | +2.6% | -18.0% | +2.7% | -17.8% |
| • Proposal 1: 4%/3% | | | +7.9% | -11.9% | +9.1% | -10.1% | +9.2% | -10.0% |
| • Proposal 2: 4%/3% + 2 Steps | | | +7.9% | -5.5% | +9.1% | -3.7% | +9.2% | -3.7% |

Utilizing the above and other data, what is to be done?

1. Market

We attract ample qualified applicants at current rates. Any or no increase would meet this criterion.

2. External Comparisons

The difficulty here is that there are only two major employers of such employees in the state, Multnomah County and the State of Oregon, the State being far the larger. As of April, we will be behind the State by 6.1% at the top when their P&F PERS benefit is factored in. We are substantially ahead of Clark County, but behind Marion, Lane, and Washington Counties. The Washington County data is artificially high, however, since these workers also act as Counselors. Since all but one of the local comparitors will be ahead of us April 1, these employees should receive at least the same percentage increase as offered to general employees.

3. Internal Comparisons

Our "pay equity" study revealed that Groupworkers wages should be increased 14.37%. We ultimately settled on a "Zone of Equity" which provides the rates will not be more the 12.28% above or above the Pay Policy line. This resulted in this classification being given a very slight equity increase and placed at the bottom of the "Zone of Equity." An additional factor of some importance is that the classification of Juvenile Counselor in the general employees unit was among those recently given a special two step adjustment at the top as part of the bargaining process. To maintain the differential between these classifications would require adding two steps at the top.

WAGES: STAFF RECOMMENDATION

Based on the above, I could recommend the following:

- FY 92-93 Existing Authority: 7.4% Rates
 5% Cash Flow
- Requested New Authority: 7%
 Plus 2 steps at the top, July 1, 1992. The 7% would be rate increases tentatively allocated as follows:
 - 4% July 1, 1992
 - 3% April 1, 1993

As to the additional immediate cost and cash flow effects of this additional authority, I would expect a very minor impact, since very few employees are to be found at higher steps. This will be costed in the coming weeks. Unfortunately, my sense based on private chats with Jim Smith, is that even this offer will not settle the matter. From a Union perspective trimming two steps at the bottom and adding two might settle wages, although it might not settle the entire contract. I realize that from a Board perspective settlements above those of the general employees may be problematic in terms of public perception at a time of fiscal shortfalls and uncertainty at all levels of government. My recommendation is based on probable hearing outcome, since the weight to be given to possible public perceptions is inherently political.

4. Work Assignment

The County has refused to bargain regarding a variety of issues based on the legal position that the matters are permissive subjects. This is the first contract for this unit and it would appear prudent not to include legally unnecessary limitations on management rights. The current job assignment system in the general employees unit, which is the continuing status quo for this unit, is what I refer to as a "Right to die where I am" system. Once a particular assignment is achieved by seniority, it is the employee's for life with certain exceptions, e.g. a rotation plan. While management in the Juvenile Court can live with the existing arrangement, they feel that the right to assign would have superior results. It is our legal position that the right to assign an employee to a particular functional assignment is a management right and a permissive subject of bargaining. Once an employee has been given a functional assignment, we would agree with the Union that the process for selection of shifts and days off is a mandatory subject of bargaining, provided the employee is qualified.

The difficulty with the above remarks is that recent court cases have created great uncertainty in the labor relations community as to the legal standard. We would appear to be in a situation in which general categories are of less use and a case by case analysis is required.

5. Concluding Remarks

The above analysis of key issues is in no way comprehensive. My current plan is to touch base with each Commissioner on this matter and then see if the Mediation session sorts the matter out into a more digestible form. Following that, we could have a session to decide if there is a settlement to be had short of Arbitration.

If you have any immediate concerns or questions regarding the above before I touch base, please call.

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c confidential:

Jim Anderson
Hank Miggins
Steve Nemirow
Rich Scott
Curtis Smith

File: Local 88 Contract Administration



B

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2505 S.E. 11TH, 1ST FLOOR
PORTLAND, OREGON 97202

April 5, 1993

Nancy E. Brown
State Conciliator
Old Garfield School Building
528 Cottage St. NE
Suite 400
Salem OR 97310

Re: Multnomah County - Juvenile Groupworkers/AFSCME

Dear Ms. Brown:

I am in receipt of your letter of March 31, 1993 ending mediation in the above cited matter, copy attached. The parties have scheduled another session with the Mediator assigned to this case, Mike Sayan, for April 14, 1993. The County anticipates further good faith bargaining at the session. If this session resolves our differences, your office will, I assume, have no further role in the matter. If short of settlement, our positions are modified as a result of this session, I assume that these modifications to the list of outstanding issues and resulting contract proposals will be taken care of by your office. If this is not the case, would you or Mr. Sayan please advise immediately what are the formal responsibilities of the parties in this regard.

Responsive to the direct requirements of your letter, the County takes the issues outstanding between the parties to be any and all differences between the parties on proposed written contract language which has not been TA'ed as of this date. The specific Articles which are in dispute are bolded as follows. Articles which have been TA'ed are noted with a date. Attached, as required, is a copy of the County's proposed language as of this date on all outstanding Articles which have not been TA'ed in entirety. Portions which have been TA'ed are noted in the body.

The County utilizes bracket and bold format using the 1992-1995 Agreement with our General Employees Unit as a base.

| <u>Articles</u> | <u>Art. #</u> |
|--|---------------|
| Preamble (TA 11/24/93) | (1) |
| Definitions (TA 3/18/93) | (2) |
| Recognition (Outstanding) | (3) |
| Management Rights (TA 3/4/93) | (4) |
| Union Security (TA 3/4/93) | (5) |
| No Strike (TA 3/4/93) | (6) |
| Holidays (TA 3/4/93) | (7) |
| Vacation (TA 11/24/92) | (8) |
| Sick Leave (TA 3/9/93) | (9) |
| Other Leaves (TA 11/24/92) | (10) |
| Health & Welfare (TA 3/9/93) | (11) |
| Worker's Compensation (TA 11/24/92) | (12) |
| General Work Provisions (Outstanding) | (13) |
| Compensation (Outstanding) | (14) |
| Anniversary Step Increase (TA 3/4/93) | (15) |
| Pensions (Outstanding) | (16) |
| (Note: Sections 1-3 have been TA'ed - not noted on copy). | |
| Discipline (Outstanding) | (17) |
| Settlement of Disputes (TA 3/4/93) | (18) |
| Contract Work (TA 11/24/92) | (19) |
| Workload & Standards, (Outstanding) | (20) |
| Training, and | |
| Performance Evaluation | |

or

**Productivity, Training
and Performance Evaluation**

| | |
|--|-------------|
| Seniority and Layoff (TA 3/4/93) | (21) |
| Shift and Work (Outstanding) Assignment | (22) |
| General Personnel (Outstanding) Provisions (This is listed without a contract language submission despite Union listing as outstanding. Our records reflect "entire" article TA'ed March 9, 1993). | (23) |
| General Provisions (Outstanding) (Note: Section regarding Employee Relations Committee has been TA'ed.) | (24) |
| Savings Clause & Funding (TA 11/24/92) | (25) |
| Entire Agreement (TA 11/24/92) | (26) |
| Termination (Outstanding) | (27) |
| Wage Schedules (Outstanding) Addendum A | |
| Addendum B (TA 12/4/92) Membership | |
| Addendum C (TA 12/4/92) People Form | |
| Addendum D (Outstanding) Leadworker Assignment and Pay | |
| Addendum () (TA'ed by reference in Alcohol & Drug Health and Welfare Policy Article) | |
| Addendum () (TA 12/4/92) Auto Allowance and Compensation | |
| Addendum () (TA 3/9/93) Statement of Termination of Marriage or Domestic Partnership | |

Addendum () (TA 3/9/93)
Affidavit of Marriage or Domestic
Partnership

Addendum ()
Premium Pay and Other Special Provisions
(Note: The County has no proposal on this
Addendum, since the substance has been
moved to Article 13: General Work
Provisions. It is the County's understanding
that the Union plans to move its one
remaining proposal regarding "Juvenile
Court Hours of Work - Juvenile
Groupworkers" to this Article also.)

I trust the above listing of issues and submission of proposals is in the form which meets your
needs. If an alternative format or breakout is desired, or if you have any questions or concerns,
please call. I attempted to contact you on Friday in this regard, but you weren't in.

Sincerely,



Kenneth Upton
Labor Relations Manager

Attachment

c w/attachment: Rich Scott
Jim Anderson

File: Juvenile Groupworker Bargaining

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**MULTNOMAH COUNTY OREGON**

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COUNTY CHAIR

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2505 S.E. 11TH, 1ST FLOOR
PORTLAND, OREGON 97202

April 13, 1993

Jim Smith
AFSCME Council 75/Local 88
2545 SW Spring Garden St.
Suite 201
Portland, OR 97219

Re: Permissive Subjects of Bargaining in Submission to Arbitration

Dear Jim:

My review of your submission of issues to arbitration reveals a continuation of the presence of permissive subjects as discussed in a lengthy exchange of correspondence between the County, yourself, and your counsel.

Be advised that I have consulted Steve Nemirow, Deputy County Counsel, and the County is in the process of preparing responsive ULP's in this matter. See City of Portland v. PPCOA, 12 PECBR 424; reconsidered at 12 PECBR 646. We have no particular desire to clutter our process with litigation, but you appear to offer us no option. Some of these matters have been litigated so frequently, e.g., intra-unit job assignment, that another dispute seems senseless. See also 12 PECBR 457 regarding the question of mixed shift and work assignment proposals.

I trust the above is helpful.

Sincerely,



Kenneth Upton
Labor Relations Manager

c: Steve Nemirow
Rosemarie Cordello

File: Groupworker Negotiations Binder

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MULTNOMAH COUNTY, OREGON

BOARD OF COUNTY COMMISSIONERS

HANK MIGGINS

DAN SALTZMAN

GARY HANSEN

TANYA COLLIER

SHARRON KELLEY

PLANNING & BUDGET

PORTLAND BUILDING

1120 S.W. FIFTH - ROOM 1400

P. O. BOX 14700

PORTLAND, OR 97214

PHONE (503)248-3883

TO: Ken Upton
FROM: Dave Warren *DCW*
DATE: April 19, 1993
SUBJECT: Costs of the Prosecuting Attorneys

BASIC COSTS OF THE BARGAINING UNIT

This list shows the following distribution of employees in positions represented by the bargaining unit included in the 1993-94 Proposed Budget.

| 1993-94 BUDGET | Job Class | Number | Current Base |
|----------------|------------------------|--------|----------------|
| | Deputy DA 1 | 14 | 456,829 |
| | Deputy DA 2 | 20 | 837,672 |
| | Deputy DA 3 | 24 | 1,259,137 |
| | Deputy DA 4 | 13 | <u>830,131</u> |
| | Bargaining Unit Totals | 71 | 3,383,769 |

"ROLLUP" COSTS

Every dollar the County pays this bargaining unit triggers the contribution of another 30.28 cents on behalf of the employee for other kinds of compensation. The following table shows the kind of costs, rates, and the amount those rates cost the County for these employees.

| 1993-4 "Rollup" Costs | Percent | Amount |
|-----------------------|---------|-----------|
| FICA | 7.65% | 258,858 |
| PERS | 18.80% | 636,149 |
| Tri-Met | 0.49% | 16,580 |
| Workers' Comp | 0.58% | 19,626 |
| Liability | 0.72% | 24,363 |
| Retiree Medical | 1.10% | 37,221 |
| Unemployment | 0.25% | 8,459 |
| Long Term Disability | 0.19% | 6,429 |
| Benefits Admin | 0.50% | 16,919 |
| Total | 30.28% | 1,024,604 |

COST TO THE COUNTY OF A 1% INCREASE IN PAY

Because of the rollup cost, each 1% increase in the cost of the bargaining unit translates into \$44,084.

Requested
Initial
Authority from the Board
Multnomah County Prosecuting Attorneys (MCPAA)
(April 20, 1993)

1. Cost of Living Increase.

| | | |
|----|--------------|---|
| A. | July 1, 1993 | 3% |
| B. | July 1, 1994 | Minimum - 2.5% Maximum - 4.5% CPI Formula |
| C. | July 1, 1995 | Minimum - 2.5% Maximum - 4.5% |

2. Wage Structure

Any structural change in the MCPAA step and/or responsibility system would be revenue neutral or would be costed against the authority in "1" above.

3. Health and Welfare

This unit would be moved into the PPO system with other structural changes, e.g., domestic partners, as per prior Board direction. (If interested in detail, see discussion draft attached for initial proposal). This raises a policy question. We have for a variety of reasons pursued a non-capped approach on one track, e.g., Local 88, while the results of a different approach are currently reflected in the ONA contract cap. Additionally, we are left with a puzzlement of what effect, if any, Clinton's plan may have in the "out years" of a multi-year agreement.

1 ARTICLE 7

2 COMPENSATION AND BENEFITS

3 . . .

4 B. Benefits

5 . . .

6 6. Health and Welfare. The terms for a
7 Health and Welfare Plan provided in the 1990-1993
8 Agreement between the parties shall remain in full force
9 and effect until the first day of the month subsequent to
10 sixty (60) days from the execution of this Agreement. On
11 this date, the following plan shall become effective:

12 a. Medical-Hospital. The County
13 agrees to contribute monthly on behalf of each full-time
14 eligible employee the monthly premium for one of the
15 health plans offered by the County as follows:

16 (1) Kaiser. The Kaiser
17 Foundation Health Plan of Oregon for exempt employees,
18 Group No. 1569-008, in effect as of January 1, 1992; or

19 (2) Indemnity Plan. The self
20 funded comprehensive plan, effective January 1, 1992 for
21 Exempt Employees Group No. 9401.

22 b. Dental Plan. The County agrees to
23 contribute monthly on behalf of each full-time eligible
24 employee the monthly premium for the Kaiser Dental plan
25 previously in effect or the Indemnity Dental Plan as
26

1 provided in Contract No. 3600 for exempt employees,
2 effective January 1, 1992. The Dentacare option will be
3 simultaneously eliminated.

4 c. Coverage. Coverage for the
5 medical and dental plans shall include the employee and
6 his or her immediate family, i.e., wife/husband and
7 eligible dependent children. The employee must choose
8 either the Kaiser or the Indemnity Plan coverage as
9 provided above. Additionally, in lieu of spouse coverage
10 an employee may enroll his or her domestic partner with
11 whom he or she has a domestic partnership, as
12 defined in Addendum C, and the partner's eligible
13 dependents for coverage subject to the terms set forth in
14 the Affidavit attached hereto as Addendum C and by this
15 reference incorporated herein. As a further precondition
16 of coverage, all employees enrolling for new or changed
17 coverage after the signing date of this Agreement, whether
18 married or with a domestic partner, shall be required to
19 complete, sign, and submit to the Employee Services
20 Division a copy of the Affidavit attached hereto as
21 Addendum C. Employees whose marriage or domestic
22 partnership terminates must complete, sign, and file with
23 the Employee Services Division a copy of the Statement of
24 Termination of Marriage/Domestic Partnership set forth in
25 Addendum D of this agreement. Enrollment times and
26

1 other procedures for administration of the medical and
2 dental insurance plans shall be applied to employees with
3 domestic partners in the same manner as to married
4 employees.

5 d. Part-time Employees. Part-time
6 employees, i.e., those who are employed at least 20 but
7 less than 32 hours a week, may receive full Medical and
8 Dental benefits upon payment of fifty percent (50%) of the
9 monthly premium by the employee to the County.
10 Employee-paid premium contributions toward the County's
11 medical and dental plans will be paid with pre-tax dollars
12 through payroll deduction according to guidelines for
13 premium conversion set forth in Internal Revenue Code,
14 Section 125. Part-time employees shall be eligible for
15 County-paid medical-hospital coverage and dental plan on
16 the first day of the month following appointment via
17 status change notice to full-time permanent employment.

18 e. Eligibility and Limitations.

19 Effective the execution date of
20 this Agreement, medical or dental coverage upon hire,
21 termination or in connection with a Leave of Absence
22 Without Pay shall be the same as for Local 88 employees.

23 f. Flexible Spending Accounts. To
24 the extent permitted by law, Flexible Spending Accounts
25 (FSA), which allow employees to pay for deductibles and
26

1 unreimbursed medical, dental, and vision expenses with
2 pre-tax wages, will be available according to the terms of
3 the Multnomah County Medical Expense Reimbursement Plan
4 dated January 1, 1992. Furthermore, each non-smoking
5 employee who enrolls between the first day of the month,
6 60 days from execution of this Agreement and December 31,
7 1993 will be given a \$45 credit to his/her reimbursement
8 account.

9 g. Opt-Out: Cash in Lieu of Benefits.

10 (1) Employees who certify
11 themselves as covered under a non-County medical/vision
12 plan may elect to waive medical/vision benefits.
13 Full-time employees electing waiver will receive an amount
14 equivalent to 33% of the highest two-party medical/vision
15 premium. Part-time employees electing waiver will receive
16 one-half of 33% of the highest two-party medical/vision
17 premium. Employees may waive medical/vision coverage and
18 still elect County dental coverage if no other dental
19 coverage is available to them. Part-time employees
20 retaining dental coverage must pay 50% of the premium for
21 such coverage as required under Subsection d. above.

22 (2) If an employee who has waived
23 County coverage through "Opt out" loses his or her
24 non-County coverage, he or she may enroll in the County
25 plan within thirty (30) days of losing the non-County
26 coverage without waiting for Open Enrollment.

1 (3) Except as may be required to
2 maintain conformity with the Internal Revenue Code, the
3 County and its agents will administer the "Opt-out" plan
4 described in this Section (Subsection g.) solely in
5 accordance with the provisions of the draft plan document
6 entitled "Multnomah County, Oregon, Cafeteria Plan" dated
7 February 21, 1992, which was provided to the Union in the
8 course of the bargaining process.

9 h. Successor Plan.

10 The County may change the above
11 insurance plans subject to the following terms and
12 limitations:

13 (1) If the County chooses to
14 change from a plan which is still available, the County
15 agrees to provide to affected employees a substitute plan
16 of the same service delivery type at substantially the
17 same or better benefit level as assessed by the aggregate
18 value of benefits in the plan.

19 (2) If the County changes from a
20 plan because it is no longer available, the County agrees
21 to provide a substitute plan of the same service delivery
22 type, if available, at substantially the same or a better
23 benefit level as assessed by the aggregate of benefits in
24 the plan. If a plan is discontinued and no substitute
25 plan is available of the same service delivery type, the
26

1 employee will be offered the option to enroll in an
2 alternative service delivery plan subject to carrier
3 approval. If such enrollment is delayed, the employee
4 will be reimbursed for each month of missed coverage in
5 the amount of the monthly payment normally made to Kaiser
6 for the missed form of coverage.

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ADDENDUM C

MULTNOMAH COUNTY AFFIDAVIT OF
MARRIAGE OR DOMESTIC PARTNERSHIP

I, (print name of employee) _____,
certify that I and (print name of spouse or domestic partner)
_____ (check and complete
either A. or B., whichever applies):

A. ____ were legally married on (date) _____,
or have a Common Law Marriage recognized under
Oregon law as follows: _____

B. ____ are and have each been the other's partner in a
domestic partnership, as defined below. For
purposes of this affidavit, a "domestic partnership"
is one consisting of two persons in which the
members:

1. Jointly shared the same permanent residence
for at least six (6) months immediately preceding the date
of this affidavit and intend to continue to do so
indefinitely;

2. Have a close personal relationship with each
other;

3. Are not legally married to anyone; and

4. Are each eighteen (18) years of age or older;

1
2 5. Are not related to each other by blood in a
3 degree of kinship closer than would bar marriage in the
4 State of Oregon;

5 6. Were mentally competent to contract when the
6 domestic partnership began;

7 7. Are each other's sole domestic partner; and

8 8. Are jointly responsible for each other's common
9 welfare including "basic living expenses." For purposes of
10 this affidavit, "basic living expenses" means the cost of
11 basic food, shelter, and any other expenses of a member of
12 the domestic partnership which are paid at least in part by
13 a program or benefit for which the partner qualified because
14 of domestic partnership. The individuals need not contribute
15 equally or jointly to the cost of these expenses as long as
16 they agree that both are responsible for the cost.

17
18 This affidavit terminates upon the death of the signing
19 employee's spouse or domestic partner or by a change in
20 circumstances attested to in this affidavit. The signing
21 employee must notify the Employee Services Division within
22 thirty (30) days after such death or change by filing a
23 Statement of Termination of Marriage/Domestic Partnership.
24 After filing of a Statement of Termination of Marriage/
25 Domestic Partnership, the employee may not file a new
26

1 Statement of Marriage/Domestic Partnership for the purpose
2 of enrolling a new domestic partner for six (6) months from
3 the date such statement is received by the Employee Services
4 Division.
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6 *NOTICE: Signing this affidavit may or may not have legal implications*
7 *affecting relations between domestic partners beyond the extension of*
8 *medical or dental insurance coverage for which it is intended. If you*
9 *desire further information concerning the possible legal consequences of*
10 *signing this form, please consult an attorney.*
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12
13 I attest that the certification I have provided herein is
14 true and correct to the best of my knowledge.

15 _____
16 Employee's Signature Date

17 Received By: _____
18 Employee Services Div. Rep. Date
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ADDENDUM D

STATEMENT OF TERMINATION OF
MARRIAGE OR DOMESTIC PARTNERSHIP

I, (name of employee) _____, affirm
that the Affidavit of Marriage/Domestic Partnership attested
to and signed by me on (date of affidavit) _____
shall be and is terminated as of this date. Termination is
due to:

___ Dissolution of marriage.

___ Termination of domestic partnership.

___ Death of spouse/domestic partner.

I understand that I cannot file a Statement of Marriage or
Domestic Partnership to enroll a new domestic partner until
six (6) months following the receipt of this Statement by
the Employee Services Division.

Signature of Employee

Date

Received By: _____

Employee Services Div. Rep.

Date