

MINUTES
MULTNOMAH COUNTY BOARD OF COMMISSIONERS
FEBRUARY 14, 1991 MEETING

Chair Gladys McCoy convened the meeting at 9:38 a.m., with Vice-Chair Rick Bauman, Commissioners Pauline Anderson, Sharron Kelley and Gary Hansen present.

- C-1 In the Matter of the Reappointment of Harold McLaurin to the Expo Center Advisory Board for a Term Expiring December, 1993
- C-2 In the Matter of the Appointments of Michael Williams, David Soloos, Lanita Duke, Robin Bloomgarden and Patricia Bozanich to the Citizen Involvement Committee for Terms Expiring February, 1993
- C-3 In the Matter of the Appointment of Richard Pomeroy to the Department of Community Corrections Citizen Budget Advisory Committee for a Term Expiring September, 1991
- C-4 In the Matter of the Appointment of Paul Eisenberg to the Department of General Services Citizen Budget Advisory Committee for a Term Expiring September, 1992

UPON MOTION of Commissioner Kelley, seconded by Commissioner Anderson, the consent calendar (C-1 through C-4) was UNANIMOUSLY APPROVED.

- R-1 RESOLUTION in the Matter of Recommending Approval of the Multnomah County Bicycle Capital Improvement Plan: July 1991 - June 1995

UPON MOTION of Commissioner Anderson, seconded by Commissioner Kelley, RESOLUTION 91-18 was UNANIMOUSLY APPROVED.

- R-2 Ratification of an Intergovernmental Agreement Between Multnomah County and the City of Portland to Provide Funding for the Fair Housing Officer to Conduct Fair Housing Initiatives Program Activities

UPON MOTION of Commissioner Kelley, seconded by Commissioner Hansen, R-2 was UNANIMOUSLY APPROVED.

- R-3 Ratification of a Lease Agreement Between Multnomah County and the State of Oregon for Relocation of the West Branch of Aging Services Division to 1430 SW Broadway

Commissioner Bauman moved and Commissioner Kelley seconded, for approval of R-3.

Commissioner Anderson expressed concern over the relocation to an area less accessible to seniors, advising she approves of co-locating services when possible.

R-3 was UNANIMOUSLY APPROVED.

- R-4 Budget Modification DHS #21 Authorizing Transfer of State Refugee Screening Funds from Temporary to Permanent within the Health Division Budget to Create a Translation Services Coordinator Position in the International Health Center

UPON MOTION of Commissioner Hansen, seconded by Commissioner Kelley, R-4 was UNANIMOUSLY APPROVED.

R-5 Second Reading and Possible Adoption of an ORDINANCE Amending Multnomah County Code Chapter 7.70.300 to Allow the Transfer of Unclaimed Property to Other Governmental Agencies in Addition to the County

The Clerk read the proposed ordinance by title only. Copies of the complete document were available for those wishing them.

Commissioner Bauman moved and Commissioner Hansen seconded, for adoption of R-5.

Chair McCoy suggested County Counsel address that the Board has before it a proposed ordinance with different language, underlining and bracketing from the one she submitted Tuesday.

Vice-Chair Bauman stated that what is before the Board is the proposed ordinance whose first reading was approved last week and that changes to it would have to come in the form of amendments.

In response to a question of Chair McCoy, County Counsel Laurence Kressel explained that Vice-Chair Bauman was procedurally correct and that the McCoy amendment would have to be moved as an amendment to the Bauman ordinance.

At the direction of Chair McCoy, Mr. Kressel related that the proposed ordinance submitted by Vice-Chair Bauman's office caused scrutiny of how the County disposes of surplus property and that Chair McCoy's office felt it would be better to narrow the Bauman ordinance because other systems were already in place to dispose of surplus property. Mr. Kressel explained the existing ordinance provision is limited to allowing the County to either sell it or use it for its own benefit, while the Bauman ordinance would allow the County to dispose of unclaimed property which comes into the Sheriff's possession by transferring it to non-County public agencies for their use. Mr. Kressel advised that the McCoy amendment narrows this option to only guns and the Fish and Wildlife Division. Mr. Kressel explained that the Chair's office felt it was not necessary or wise to pass the broad Bauman language, however as he has been unable to find clear regulations pertaining to disposal of surplus property and that while he has no reason to think there is anything wrong with what has been done in the past, Mr. Kressel suggested that the Board address those issues.

Vice-Chair Bauman stated there is no emergency with his proposed ordinance and that while his intent in dealing with the Department of Fish and Wildlife is embodied in the McCoy amendment, he feels it is important to address the policy issues. Vice-Chair Bauman suggested delaying the second reading a week or two to give County Counsel an opportunity to prepare another ordinance.

Commissioner Anderson suggested it would be helpful to prepare a general ordinance to deal with other disposable items which may come up in the future.

Commissioner Bauman moved and Commissioner Hansen seconded, that R-5 be carried over for two weeks.

Mr. Kressel suggested a longer period of time.

UPON MOTION of Commissioner Bauman, seconded by Commissioner Hansen, it was UNANIMOUSLY APPROVED that R-5 be carried over for one month. Chair McCoy advised the continued second reading is scheduled for Thursday, March 14, 1991.

The Clerk reported that the citizen who wished to testify on R-5 will wait until the March hearing.

R-6 Second Reading and Possible Adoption of an ORDINANCE Transferring the Budget Office from the Department of General Services to the Office of the Chair and Assigning the Affirmative Action Office to the Office of the Chair

The Clerk read the proposed ordinance by title only. Copies of the complete document were available for those wishing them. A hearing was held, no one from the public wished to testify.

Commissioner Hansen moved and Commissioner Kelley seconded, for adoption of R-6.

Commissioner Anderson explained that she will be voting no on the ordinance because while she has no objection to assigning the Affirmative Action office, she objects to transferring the Budget office to the Chair as she predicts there may come a time when it will become a problem for Board members to obtain information which may in any way conflict with the executive budget.

ORDINANCE 675 was APPROVED with Commissioners Bauman, Kelley, Hansen and McCoy voting aye and Commissioner Anderson voting no.

R-7 Request for Board Approval in the Matter of Pending Legislation: (1) Authorizing Political Subdivisions to Transfer Properties Without Consideration to Non-Profit, Public and Municipal Corporations for Housing and Social Services; and (2) Authorizing Political Subdivisions to Forgive Back Taxes when Properties are Donated to Non-Profit, Public and Municipal Corporations for Housing and Social Services

Commissioner Hansen moved and Commissioner Bauman seconded, for approval of R-7.

Diane Luther, Staff Assistant for Commissioner Anderson, explained that a clause was added to page 1, item 2 of the proposed resolution submitted Tuesday, to read: "and to authorize counties to offer opportunities to such corporations to pay delinquent taxes over a period of years." Ms. Luther explained the Legislature is being asked to allow counties to forgive back taxes or allow non-profits to spread payments over 10 or 20 years.

Commissioner Bauman moved and Commissioner Hansen seconded, for adoption of the resolution as amended.

In response to a question of Chair McCoy as to what the impact may be on the School District's share of taxes, Ms. Luther explained she spoke with Oregon School Board Association

representative John Marshall, who indicated he had no problem with the legislation, although he would be looking at any revenue impact statements which might come from the revenue committee and that it was their mutual assumption there would be so few properties involved that it would probably be no problem. Ms. Luther explained she spoke with Frank McNamara this morning and although he had not seen the draft legislation, when she explained to him that the County has an ordinance allowing the transfer of tax foreclosed properties and that this piece of legislation only marginally widens the net in terms of the numbers of properties involved, he indicated he did not have any particular position.

In response to a question of Chair McCoy, Ms. Luther explained there is a need to develop criteria as to which organizations and under what conditions the County would consider transferring tax foreclosed properties for the ordinance adopted in December and the issues before the Board today. Ms. Luther advised there has been discussion of performance criteria where a non-profit applicant would make clear to the County what it intends to do, how it would be financed and a condition wherein the title would revert back to the County if those obligations were unfulfilled after a certain period of time. Ms. Luther added that the matter is under active consideration by Larry Baxter, Cecile Pitts, Paul Yarborough and herself.

In response to a question of Chair McCoy, Ms. Luther explained that if a non-profit turns the property into low income housing and sells it to low income persons, those persons will begin paying property taxes but if it is turned into a child care center owned by the non-profit, the property will not go back on the tax rolls.

Commissioner Hansen noted that either way it would be a plus to get the property back on the tax rolls or to use it for non-profit purposes which add to the community.

Chair McCoy stated she will vote no on the resolution because although she supports the concept, she is uncomfortable supporting it before the legislation is enacted.

Commissioner Kelley stated that she is willing to support the concept and let the Legislators work on it knowing they will probably make some amendments and understanding that if it is adopted and approved by the State, each county will probably adopt their own administrative processes for the matter. Commissioner Kelley added that while not without complexities or problems, this is a wonderful idea which could benefit the community and that she fully intends to approve the resolution.

Commissioner Anderson stated she feels the County could monitor what comes out of the Legislature and pull back its support if they do not comply with the County resolution, so she feels the Board is not taking chances by voting in support of the resolution.

Chair McCoy stated that the Board needs to realize this legislation is not part of the County's legislative agenda and that she assumes the Board is suggesting that the County non-lobbyists follow this legislation, add Multnomah County to the list of sponsors and do whatever they can.

The amendment to R-7 was UNANIMOUSLY APPROVED.

RESOLUTION 91-19 was APPROVED with Commissioners Bauman, Anderson, Kelley and Hansen voting aye and Chair McCoy voting no.

R-8 Budget Modification MCSO #14 Authorizing Transfer of \$2,047 from Contingency to the Safety Action Team Budgets to Appropriate Expenditures to Match Donations Received for Safety Action Team Activities

UPON MOTION of Commissioner Kelley, seconded by Commissioner Hansen, R-8 was UNANIMOUSLY APPROVED.

R-9 Budget Modification MCSO #15 Authorizing Transfer of \$159,709 from Contingency to the Multnomah County Sheriffs Office Budget Appropriating Federal Marshal Revenue to Fund 4 Temporary Court Guards, a DUII Sergeant for OTSC Grant Match, and the Increased Cost of the City of Portland Identification Services Contract

Commissioner Kelley moved and Commissioner Hansen seconded, for approval of R-9.

Vice-Chair Bauman observed that according to the Budget office, the Sheriff's general fund expenditure forecast shows a projected surplus of \$488,000 in the materials and supplies account and asked why that money could not be used in the form of a budget modification.

Gary Walker, Sheriff's office, explained the Sheriff's budget people met with Dave Warren to go over that because the Sheriff's projections were completely different from those of the Budget office and that it was discovered some items were left off the straight line projections.

Larry Aab, Sheriff's office, explained the discrepancies were primarily \$205,000 for the ID contract which had not yet been paid and due to differences in the way the Budget office and Sheriff's office look at an audit requirement to budget for \$100,000 in flash money on an annual basis.

In response to Commissioner Anderson stating there was a commitment made earlier in the year to fund the OTSC money from within the Sheriff's budget and asking why was that not budgeted, Mr. Walker advised he was not aware of that commitment and that in speaking with the Chair's office it was felt it was such an important item there needed to be monies to make up the difference.

Commissioner Anderson responded that the Board thinks it is important but understood that it was to be made up within the Sheriff's budget.

Vice-Chair Bauman stated that when this matter came before the Board in November it was explicitly agreed this was important but that the Sheriff's office was to go back and scrutinize the Sheriff's budget and find the revenue for it.

Commissioner Anderson explained that this is not in the Sheriff's budget, that this request is for general fund contingency money which has nothing to do with the Sheriff's

Department and that it is her feeling that if it was to be generated out of the Sheriff's budget, that is where it ought to come from not from Marshal money which is general fund money.

In response to a question of Chair McCoy, Commissioner Anderson stated she wishes to clarify that the Board is being asked to authorize the expenditure of general fund contingency money, not Sheriff's Department money. Commissioner Anderson added that she supposes the County could say it needs money for child abuse, sell more Marshal beds and asked why the County needs 256 more beds at Inverness if it does not need those beds for County prisoners. Commissioner Anderson stated she believes there will be a problem once the Board starts talking about Marshal beds as exclusively Sheriff's Department money.

Mr. Walker responded that the Sheriff's Department does not feel the money is exclusively Department money and that over the years it has received a small portion of Marshal revenue. Mr. Walker indicated he believes the Department received \$98,000 from the \$1.6 million generated last year.

Vice-Chair Bauman discussed parallels with hypothetical requests from other departments and questioned whether the Board would tolerate them at this time. Vice-Chair Bauman stated that given the decisions the Board has to make to next week he believes it is intolerable to even consider this request, that the Board is being asked to set this as one of the highest priorities of the County right now for limited general fund dollars and that the request should be put off.

Commissioner Anderson asked whether court guards and the ID contracts were the County's highest priorities in the current cutback mode.

Chair McCoy stated that the Board is either going to support the Sheriff doing these things because it believes they are important or it is not and that she is satisfied this is an appropriate use of dollars generated by the Sheriff's office, that these are items which pertain to the Sheriff's office and that the request should be approved.

Commissioner Bauman stated that this strikes him as slush fund budgeting at its worst and that it would be setting this request above and beyond all other Board priorities.

Commissioner Hansen advised he feels that determining a County policy on Marshal beds and where the revenue goes is worthy of a long term discussion and that whether it is slush fund or innovative financing, it would be wise for the Board to clarify and refine the policies. Commissioner Hansen advised that he is considering this request based on the urgency of improving security at the Courthouse, that he feels the DUII sergeant is a high priority and that he is going to be pragmatic and move to get the immediate benefits of this request. Commissioner Hansen stated that at a later point he believes the Board should look at the long term implications of what to do with Marshal funds and the more in depth policy questions.

Commissioner Kelley agreed with Commissioner Hansen and added that one difference between the Marshal money and the giving up of the bed space is that the Board is in the position of

trusting the Sheriff's Department to say they are willing to make that sacrifice because they consider the public safety issues are serious ones, advising she is willing to support this request.

Vice-Chair Bauman stated it appears that the Sheriff is saying that this is a high enough priority to sell some jail beds but lower than any other dollars he expends and that he is unwilling to rearrange his priorities in order to take care of public safety issues and that the Board will have to make those decisions. Vice-Chair Bauman explained that public safety was put at risk because two people bolted from the Courthouse last month and that traditionally the response would have been to give more money to the Sheriff's Department, which is a luxury the County can no longer afford, stating the County must demand that every mechanism is utilized to determine whether its security guards are most effectively used and in the right positions at the right time. Vice-Chair Bauman advised that the decisions the Board makes today and next week are going to decrease public safety in many ways and that while no one in the community was injured by either bolter, in that same time over 30 drug affected babies were born in the County. Vice-Chair Bauman added that if the Board approves this it will put an incredible pall over discussions next week and will say for some people business as usual, while the poorest, unhealthiest and most at risk will suffer as usual.

R-9 was APPROVED with Commissioners Kelley, Hansen and McCoy voting aye and Commissioners Anderson and Bauman voting no.

R-10 Budget Modification MCSO #16 Authorizing Transfer of \$19,955 from Contingency to the Multnomah County Sheriffs Office Budget to Fund Deputy Overtime Coverage for Motion Picture and Television Productions

UPON MOTION of Commissioner Anderson, seconded by Commissioner Kelley, R-10 was UNANIMOUSLY APPROVED.

R-11 Budget Modification DCC #6 Authorizing Transfer of \$15,000 of County Assessment Funds from General Fund Contingency to the Facilities Management Budget to Fund Unbudgeted Costs of Remodeling Parole and Probation Facility

Commissioner Hansen moved and Commissioner Kelley seconded, for approval of R-11.

Commissioner Anderson stated that while she feels this is a worthwhile and needed activity, she is going to vote against it because contingency money was not to be used for remodeling.

Chair McCoy explained that it was a good season for construction and costs went up due to circumstances beyond anyone's control.

R-11 was APPROVED with Commissioners Kelley, Hansen and McCoy voting aye and Commissioners Anderson and Bauman voting no.

R-12 Budget Modification DGS #4 Authorizing Transfer of \$26,450 from General Fund Contingency to the Finance Division to Fund Costs Incurred in Association with Preparation of Certificates of Participation Documents and Legal Counsel

UPON MOTION of Commissioner Kelley, seconded by Commissioner Hansen, R-12 was UNANIMOUSLY APPROVED.

R-13 Budget Modification DGS #5 Authorizing Transfer of \$32,620 from General Fund Contingency to the Employee Services Division for Funding to Establish a 9 Month City/County Joint Program to Provide Outplacement Assistance to Employees Impacted by Budget Cuts

UPON MOTION of Commissioner Bauman, seconded by Commissioner Kelley, R-13 was UNANIMOUSLY TABLED.

Vice-Chair Bauman stated that in tabling this matter he hopes there is no signal that if the County gets to the point of cutoffs the County does not want to be as helpful as possible with its employees but he feels this is just too soon and not necessarily the right plan.

In response to a question of Chair McCoy, Commissioner Kelley reported that some of the communications systems have not yet been put in place and although it has a lot merit, she believes the program could be done less expensively, more efficiently and more effectively if stronger partnerships are developed.

In response to a question of Commissioner Anderson as to whether anything was said about partnership with the State, Commissioner Kelley reported that the Employment Office and the Dislocated Worker's Project could and should be involved and that the County could submit an application to the Federal government to fund long term re-training of some County employees. Commissioner Kelley advised that the proposals to develop a first phase program to provide help with resumes for people who will be able to secure future employment quickly and easily and developing second and third phase programs for those who will have more difficulty needs to be given time for further thought.

Chair McCoy directed Employee Services Division Manager Curtis Smith to go back to the drawing board and take this into consideration and stated she hopes something will materialize before July 1.

There being no further business, the meeting was adjourned at 10:33 a.m.

OFFICE OF THE BOARD CLERK
for MULTNOMAH COUNTY, OREGON

By

DEBORAH C. ROGERS

MINUTES
MULTNOMAH COUNTY BOARD OF COMMISSIONERS
FEBRUARY 14, 1991 MEETING

Chair Gladys McCoy convened the meeting at 10:36 a.m., with Vice-Chair Rick Bauman, Commissioners Pauline Anderson, Sharron Kelley and Gary Hansen present.

1. Pursuant to ORS 192.660(1)(d), the Multnomah County Board of Commissioners will meet in Executive Session for the Purpose of Labor Negotiator Consultation

There being no further business, the meeting was adjourned at 11:04 a.m.

OFFICE OF THE BOARD CLERK
for MULTNOMAH COUNTY, OREGON

By DEBORAH C. ROGERS

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