

**MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS  
MULTNOMAH BUILDING, BOARD ROOM 100  
501 SE HAWTHORNE BLVD., PORTLAND, OREGON  
THURSDAY, JUNE 30, 2016**

**REGULAR BOARD MEETING**

CHAIR DEBORAH KAFOURY CALLED THE MEETING TO ORDER AT 9:35 A.M. WITH VICE-CHAIR JULES BAILEY AND COMMISSIONERS LORETTA SMITH, JUDY SHIPRACK AND DIANE MCKEEL PRESENT.

ALSO ATTENDING WERE JENNY MADKOUR, COUNTY ATTORNEY, AND LYNDIA GROW, BOARD CLERK.

*[ALL CAPS TEXT IS THE BYPRODUCT OF CAPTIONING THIS PROGRAM.]*

GOOD MORNING, AND WELCOME TO THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS. GOOD TO SEE EVERY ONE THIS MORNING. MAY I HAVE A MOTION ON THE CONSENT CALENDAR?

**CONSENT AGENDA**

- C.1 APPOINTMENT OF SIX MEMBERS AND FOUR ALTERNATES TO THE MULTNOMAH COUNTY BICYCLE AND PEDESTRIAN CITIZEN ADVISORY COMMITTEE
- C.2 BUDGET MODIFICATION DCM-17-16 RECLASSIFICATION OF OPERATIONS SUPERVISOR TO OPERATIONS ADMINISTRATOR IN DCM/DART
- C.3 BUDGET MODIFICATION HD-37-16 AUTHORIZING ONE POSITION RECLASSIFICATION WITHIN THE HEALTH DEPARTMENT
- C.4 BUDGET MODIFICATION NOND-11-16 RECLASSIFYING A CREATIVE MEDIA COORDINATOR TO A PUBLIC AFFAIRS COORDINATOR IN THE COMMUNICATIONS OFFICE.
- C.5 BUDGET MODIFICATION NON-D 01-17 RECLASSIFYING A 1.00 LEGISLATIVE/ADMINISTRATIVE SECRETARY TO A MANAGEMENT (PERFORMANCE AUDITOR

COMM. SMITH: SO MOVED.

COMM. MCKEEL: SECOND.

CHAIR KAFOURY: COMMISSIONER SMITH MOVES, COMMISSIONER MCKEEL SECONDS APPROVAL OF THE CONSENT CALENDAR. ALL IN FAVOR VOTE AYE. NICE TIMING, THE CONSENT CALENDAR IS APPROVED.

**PUBLIC COMMENT**

**OPPORTUNITY FOR PUBLIC COMMENT ON NON-AGENDA MATTERS. TESTIMONY LIMITED TO THREE MINUTES PER PERSON. THIS IS A TIME FOR THE BOARD TO HEAR PUBLIC TESTIMONY, NOT FOR BOARD DELIBERATION.**

CHAIR KAFOURY: DO WE HAVE PUBLIC COMMENT.

BOARD CLERK: YES, MADAM CHAIR, WE HAVE THREE SIGNED UP. WHEN I CALL YOUR NAME, PLEASE COME FORWARD. MR. LIGHTNING. DAVID NEDAL AND DAVID DAVIS.

CHAIR KAFOURY: GOOD MORNING.

GOOD MORNING. MY NAME IS LIGHTNING. I REPRESENT LIGHTNING WATCHDOG PDX. JUST A COUPLE OF ISSUES REAL FAST. I WANT TO COVER IS ON THAT EPA SUPER FUND CLEANUP. I KNOW THAT THEY ARE COMING BACK WITH A NUMBER AROUND 780 MILLION, AND THEY DID HAVE PLANS AS HIGH AS \$9 BILLION. ONE OF THE CONCERNS THAT I HAVE AND JUST ONLY MY OPINION, IS THAT I DON'T THINK THAT THEY ARE GOING TO DO ENOUGH DREDGING AND ACTUALLY GET ENOUGH OF THE CONTAMINATION OUT OF THE RIVER WITH THEIR CURRENT PLAN. SO I THINK, AND THERE IS A LOT OF THE PROPERTY OWNERS UP THROUGH THERE CALLED THE ALLOCATION GROUP OF 150 PROPERTY OWNERS, AND I THINK THAT THEY WOULD PROBABLY AGREE WITH ME. THERE IS GOING TO HAVE TO BE A LOT MORE WORK DONE ON THIS PLAN. ANOTHER ISSUE THAT I HAVE IS ON -- WE'RE GOING TO -- AT CITY HALL, LOOK AT A 258 MILLION GENERAL OBLIGATION BOND REVERING A MEASURE TO THE CITY VOTERS IN NOVEMBER, WHICH WILL BE BASICALLY FOR AFFORDABLE HOUSING. ONE OF THE THINGS, AND I TALKED TO COMMISSIONER SALTZMAN A COUPLE OF YEARS AGO AND MAYOR ED LEIGH ANN WAS PROPOSING A \$300 MILLION GENERAL OBLIGATION BOND IN SAN FRANCISCO. ONE OF THE CONCERNS THAT I HAVE IS I WANT TO MAKE SURE THAT SOME OF THE MONEY IS APPLIED TOWARDS THE PROPOSED DEVELOPMENT PROJECT OF HOMER WILLIAMS AND [INAUDIBLE] TO DO A HOMELESS CAMPUS. THEY ARE TALKING AT CAPACITY OF PEOPLE AS HIGH AS MAYBE 1,000 TO 1300 PEOPLE TO USE THE FACILITY. IT'S ON THE WILLAMETTE RIVER FRONT SO WHAT I WOULD LIKE TO DO IS ON THIS GENERAL OBLIGATION BOND, HAVE 10,000, OR 10 MILLION GO TOWARDS THE PURCHASE OF THE LAND, AND 40 MILLION WILL BE ALSO TOWARDS THE OVERALL PROJECT. AND THE DEVELOPERS WILL COME UP WITH ANOTHER 60 MILLION THEMSELVES, SO WHEN WE CAN, WE COMBINE THE AFFORDABLE HOUSING SHELTER SPACE, WE'LL HAVE A, SOMETHING THAT CAN POSSIBLY GET PASSED. IF THEY DO NOT COMBINE THAT, I THINK THIS WILL FAIL AND

THE REASON THAT I SAY THAT IS THAT DHM HAS COME OUT WITH SOME RECENT STUDIES, STATING THAT A LOT OF THE PUBLIC WANTS TO SEE MORE SHELTER SPACE, MAYBE CAMPUS-TYPE FACILITIES SET UP, ALSO. IF WE DO NOT LOOK AT THAT DIRECTION, AGAIN, IN MY OPINION, I WOULD LIKE TO HAVE AN AMENDMENT TO THIS RESOLUTION, AND ALSO HAD THAT INCLUDED IN THE AMENDMENT. AGAIN, IF I THINK THAT -- IF THEY DO NOT DO THAT AMENDMENT, IN MY OPINION, THIS WILL FAIL BECAUSE THE PUBLIC, DUE TO THE RESEARCH DONE BY DHM, IS STATING THAT THEY WANT OTHER OPTIONS INVOLVED IN THIS PACKAGE IN THIS EQUATION. AND I THINK THAT THEY NEED TO REALLY LISTEN VERY CLOSE TO WHAT THE PUBLIC IS SAYING, AND UTILIZE THE PRIVATE DEVELOPERS IN THEIR MONEY, ALSO, ON THE OVERALL SITUATION. THANK YOU. WHO IS NEXT? GOOD MORNING.

SO MY NAME IS DAVID KIF DAVIS, AND I AM WITH MULTNOMAH COUNTY COP WATCH, AND I WANTED TO BRING UP AN ISSUE THAT SOME OF YOU GUYS MIGHT BE AWARE OF ABOUT THE ARREST YESTERDAY AT CITY HALL OF ACTIVISTS. I WAS TALKING ABOUT A PORTLAND BUREAU OF TRANSPORTATION AGENDA ITEM, AND I CARED TO MENTION CHILD SEX TRAFFICKING, WHICH IS NUMBER ONE IN PORTLAND, OREGON AND ALL OF NORTH AMERICA. AND ITS MULTNOMAH COUNTY'S DIRTY LITTLE SECRET THAT NO ONE WANTS TO TALK ABOUT, SO I WAS INTERRUPTED BY CHARLIE HALES TWO TIMES WHEN I WAS SPEAKING ON AN AGENDA ITEM. AND THEN HE SHUT DOWN THE CITY HALL AND HAD FOUR PEOPLE ARRESTED, ME, JOE WALSH, MARY ENG AND ROBERT WEST. THEN JOE WALSH WAS DEPRIVED OF EVEN BEING ABLE TO TAKE A CRAP AT CITY HALL BY ALL THE COMMANDING OFFICERS. HE HAS AN ADA CARD THAT SAYS THAT HE CAN GO TO THE BATHROOM ANYWHERE BECAUSE HE HAS HEALTH ISSUES. SO THE POLICE YESTERDAY, THE CITY OF PORTLAND, THE MAYOR, EVERY MEMBER OF CITY COUNCIL, THEY VIOLATED MULTIPLE PEOPLE'S RIGHTS. AND DEPRIVED AN OLD VETERAN EVEN BEING ABLE TO RELIEVE HIMSELF. WELL JOE WALSH WOUND UP GOING TO AN OHSU IN AN AMBULANCE SO HE COULD TAKE A CRAP. HE WAS ALSO BEATEN UP AT THE CITY HALL, AND RECEIVED THREE STITCHES ON HIS HAND BECAUSE THEIR SECURITY ROUGHED HIM UP DURING THE NEW POLICE CHIEF'S REIGNING IN CEREMONY AT CITY HALL. MIKE MARCHMAN. SO I DON'T KNOW WHAT'S GOING ON IN THIS LITTLE COUNTY AND CITY OF YOURS, BUT, YOU KNOW, THAT, BASICALLY, COST THE TAXPAYERS THOUSANDS OF DOLLARS JUST SO JOE WALSH COULD GO AND RELIEVE HIMSELF. AND NOW IT WILL BE A LENGTHY JURY TRIAL AND A LAWSUIT AGAINST THE COUNTY AND THE CITY AND THE MAYOR AND POLICE, AND ALL BECAUSE I COULDN'T UTTER THE WORDS, CHILD SEX TRAFFICKING. THIS IS A, REALLY A BIG ISSUE IN THIS COMMUNITY OF OURS, AND I DON'T REALLY SEE THIS BROUGHT UP THAT MUCH. I DON'T SEE WHY IT'S SUCH AN ISSUE THAT I WOULD UTTER THOSE WORDS, AND IF YOU KNOW ANYTHING ABOUT SOCIETY, THERE IS INNER CONNECTIVITY, SO ME TALKING ABOUT AN ISSUE WHERE I AM TALKING ABOUT CHILD SEX TRAFFICKING --

CHAIR KAFOURY: THANK YOU, MR. DAVIS, WRAP IT UP, PLEASE.

IN THE, AND THE THING, YOU KNOW, AND I WAS TRYING TO BRING IT BACK TO THE KIDS OR THE TRAFFIC ON THE STREETS, AND PEOPLE CARE ABOUT BIKE LANES, AND ALL THIS OTHER STUFF, BUT THEY REALLY DON'T CARE ABOUT THE CHIPPER. SO I GOT INTERRUPTED, AND NOW I AM FACING CHARGES. JOE WALSH, TODAY IS MY BIRTHDAY, TOO, SO I GET TO GO TO COURT TODAY ON MY BIRTHDAY, SO YOU KNOW, I CAN THANK THE MAYOR.

CHAIR KAFOURY: HAPPY BIRTHDAY.

I AM GOING TO PROBABLY CELEBRATE IT AT CHARLIE HALE'S HOUSE TONIGHT IS SINCE I GOT HIS ADDRESS AND DO A PROTEST OUTSIDE OF HIS HOUSE.

CHAIR KAFOURY: I HOPE YOUR BIRTHDAY GOES BETTER THAN IT HAS.

IT WILL BE FUN PROTESTING OUTSIDE OF CHARLIE'S HOUSE BECAUSE YOU KNOW, I MIGHT BRING HIM A PIECE OF CAKE EVEN.

CHAIR KAFOURY: THANK YOU. MR. NEDAL?

I AM FROM PORTLAND, OREGON.

CHAIR KAFOURY: WOULD YOU STATE YOUR NAME FOR THE RECORD.

DAVE NEDAL. AND I AM FROM PORTLAND, OREGON. I OWN A RURAL PROPERTY IN MULTNOMAH COUNTY. I SENT AN EMAIL TO WALTER ROBINSON, AND YOUR OFFICE, MR. BAILEY'S OFFICE. AND I AM -- I HAVE A HEART DISABILITY, AND AT THE SAME TIME, I AM ON A FIXED LOW INCOME. THE HEART DISABILITY IS, BASICALLY, THE STRENGTH OF THE HEART. I AM KIND OF A QUARTER HORSE, AND I CAN GO WELL FOR A MINUTE ON ANYTHING, AND THEN I LOSE ALL STAMINA. BUT, THE ISSUE IS, I HAVE A PIECE OF PROPERTY IN RURAL MULTNOMAH COUNTY THAT I'VE BEEN TRYING FOR A LONG TIME TO MAKE AVAILABLE FOR ONE HOME, HALF OF IT WILL BE CONSERVATION, AND ACRE, AND WON'T BE TOUCHED, AND THAT'S GOING TO BE IN THE DEED, AND THE OTHER HALF WILL BE FOR A SINGLE FAMILY RESIDENCE. AND WHAT I WOULD LIKE -- I HAVE -- I ALREADY WENT THROUGH THE ENTIRE PERMITTING PROCESS OF MULTNOMAH COUNTY FOR -- TO PUT A DWELLING THERE, AND THAT SUCCEEDED. AND HOWEVER, BECAUSE OF A MISCOMMUNICATION OR A MISINTERPRETATION BETWEEN THE STAFF AND MYSELF, THE PERMIT RAN OUT, AND I THOUGHT YOU COULD RENEW IT. YEAR AFTER YEAR OR FOR A LONG TIME, AND IT TURNS OUT THAT YOU COULD NOT DO THAT. AND I HAVE TO GO THROUGH ALL OF THE SAME HURDLES AGAIN. THE STEPS IN THE COUNTY CODE LANGUAGE WAS HEFTY, AND THIS IS THE WHOLE APPLICATION, THE FIRST TIME AROUND, INCLUDING YOU KNOW, IT'S LIKE 170 TO 200 PAGES, AND THE FIRST TIME AROUND, INCLUDING FOUR

PERMIT APPLICATIONS, AND SEPARATE LICENSE FEES FOR EACH PERMIT, YOU HAVE TO DEAL WITH WILDLIFE AND HILLSIDE DEVELOPMENT PERMIT AND THE GENERAL APPLICATION, AND THEY ALL ADD UP TO ABOUT 5,000. AND WHAT I AM TRYING TO GET IS SOME AMELIORATION OF THE COST, BECAUSE WE'RE SUBMITTING EXACTLY THE SAME APPLICATION AS WE DID A COUPLE OF -- THREE OR FOUR YEARS AGO. BUT SO THAT ONLY A TINY FRACTION OF COUNTY CODES HAVE CHANGED, AND SO THERE MAY BE TWO PARAGRAPHS OF LANGUAGE THAT ARE GOING TO BE DIFFERENT, WHICH I WILL DO THIS WEEKEND, BUT THERE'S ONLY BEEN HOUSECLEANING CODES CHANGED. HOUSEKEEPING CODES CHANGED IN MULTNOMAH COUNTY SINCE THAT TIME RELATING TO ALL THE PERMIT APPLICATIONS. AGAIN, IT AMOUNTS TO ABOUT \$5,000, SO WHAT I AM ASKING IS, AND IS TO HAVE THOSE APPLICATIONS FEES WAVED BECAUSE IT'S PRETTY MUCH JUST EXACTLY THE SAME APPLICATION, AND THEY WILL COME UP WITH THE SAME ANSWERS, AND --

COMM. BAILEY: MY STAFF PERSON IS RIGHT HERE AND CAN MEET WITH YOU RIGHT NOW, AND TALK THROUGH THE ISSUE AND SEE IF WE CAN GET TO A RESOLUTION. I REALLY APPRECIATE YOU COMING DOWN AND BRINGING IT TO OUR ATTENTION.

MR. NEDAL: I HAVE GOT TO TELL YOU HOW MUCH I APPRECIATE THE SESSIONS BEING AVAILABLE.

COMM. BAILEY: ABSOLUTELY. NOT TOO MANY SOCIETIES IN HISTORY HAVE ALLOWED FOR THIS KIND OF INPUT. THANK YOU.

CHAIR KAFOURY: THANK YOU.

COMM. BAILEY: TALK TO MY CHIEF OF STAFF, MEGAN BEYER. SHE'S RAISING HER HAND RIGHT THERE.

**R.1 RESOLUTION APPROVING THE FAC-1 PROJECT DESIGN AND CONSTRUCTION PLAN AND AUTHORIZING DEVELOPMENT OF THE CONSTRUCTION DOCUMENTS AND EARLY CONSTRUCTION WORK FOR THE MULTNOMAH COUNTY CENTRAL COURTHOUSE (MCCCH) PROJECT. PRESENTERS: JD DESCHAMPS, CENTRAL COURTHOUSE PROJECT MANAGER; AND KEN ELLIOTT, ASST. COUNTY ATTORNEY (15 MIN)**

COMM. MCKEEL: SO MOVED.

COMM. BAILEY: SECOND.

CHAIR KAFOURY: COMMISSIONER MCKEEL MOVES AND COMMISSIONER BAILEY SECONDS APPROVAL OF R1. GOOD MORNING.

MR. ELLIOTT: GOOD MORNING. CHAIR KAFOURY AND COMMISSIONERS. I AM KEN ELLIOTT FROM THE COUNTY ATTORNEY'S OFFICE, AND I AM HERE WITH OUR COURTHOUSE PROJECT MANAGER DESCHAMPS. WE ARE HERE ASKING THE BOARD TO APPROVE THE THIRD STEP IN THE APPROVAL PROCESS. WE CAME BEFORE THE BOARD BACK IN DECEMBER WITH STEP TWO, WHICH WAS FOR A SCHEMATIC DESIGN AND DESIGN DEVELOPMENT APPROVAL. WE'RE NEARING COMPLETION OF THAT PROCESS. WE HAVE SUBMITTED THE 50% DESIGN DEVELOPMENT DRAWINGS TO THE CITY OF PORTLAND ABOUT A MONTH AGO, AND EXPECT TO GET TO 90% HERE IN ANOTHER MONTH. THE COURTHOUSE TEAM BRIEFED THE BOARD LAST WEEK ON THIS REQUEST, AND THE FACT 1 REPORT AND THE RESOLUTION BEFORE THE BOARD TODAY REQUESTS OR WOULD APPROVE THE FACT 1 REPORT TO PROCEED WITH THE DESIGN AND CONSTRUCTION DOCUMENTS PHASE OF THE PROJECT, WHICH IS ESTIMATED TO COST ABOUT \$11.5 MILLION. AND SO TO AUTHORIZE CERTAIN EARLY WORK TO BEGIN THIS FALL WITH THE COMBINED COST ESTIMATE OF \$12.5 MILLION, AND THAT WORK WOULD BE DONE TO GET A HEAD START ON THE CONSTRUCTION SCHEDULE BEFORE THE GUARANTEED MAXIMUM PRICE IS FINALIZED WITH THE NEW BOARD REVIEWING THAT, EXPECTED TO OCCUR IN MARCH OF NEXT YEAR. WE'RE HERE TO ANSWER ANY QUESTIONS YOU MAY HAVE AFTER LAST WEEK'S BRIEFING, AND J.D. PROBABLY HAS THE ANSWERS AND I MAY NOT.

CHAIR KAFOURY: DOES ANYBODY HAVE ANY QUESTIONS OR COMMENTS? THIS IS A FOLLOW-UP FROM OUR BOARD BRIEFING EARLIER THIS WEEK. ALL RIGHT. ALL THOSE IN FAVOR, VOTE AYE. THE RESOLUTION IS ADOPTED. THANK YOU.

MR. ELLIOTT: THANKS VERY MUCH.

CHAIR KAFOURY: THANK YOU. NOW GET BACK TO WORK. GO AND BUILD US A COURTHOUSE!!!

**R.2 NOTICE OF INTENT FOR A FEDERAL LANDS ACCESS PROGRAM GRANT TO IMPROVE COUNTY ROADS PROVIDING ACCESS TO US FOREST SERVICE RECREATION AREAS. PRESENTERS: RIAD ALHARITHI, ROAD ENGINEERING MANAGER AND JOANNA VALENCIA, PLANNING AND DEVELOPMENT MANAGER (5 MIN)**

COMM. MCKEEL: SO MOVED.

COMM. BAILEY: SECOND.

CHAIR KAFOURY: COMMISSIONER MCKEEL MOVES. COMMISSIONER BAILEY SECONDS APPROVAL OF R.2. GOOD MORNING.

MS. VALENCIA: GOOD MORNING COMMISSIONERS, CHAIR KAFOURY. FOR THE RECORD, JOANNA VALENCIA, TRANSPORTATION PLANNING AND DEVELOPMENT MANAGER. I AM HERE THIS MORNING TO ASK FOR YOUR APPROVAL TO APPLY FOR A FEDERAL LANDS ACCESS PROGRAM GRANT. THIS GRANT WILL HELP IMPROVE MAINTENANCE OF TWO KEY ROADS THAT SERVE THE ACCESS TO THE COLUMBIA GORGE SCENIC AREA AND THE MOUNT HOOD NATIONAL FOREST AREA. THIS WILL IMPROVE A [INAUDIBLE] AND THIS WILL INCLUDE THE REPAIRING, THE REPAIR OF PAVEMENT, APPLYING AN OVERLAY, AND IMPROVEMENT OF GRAVEL SHOULDERS AND SIGNAGE ON THESE SECTIONS, AND SO THIS IS A GREAT OPPORTUNITY FOR THE FEDERAL HIGHWAY ADMINISTRATION, AND THERE IS A 10.27% MATCH GRANT WHICH WILL BE PROVIDED THROUGH IN-KIND MATCH THROUGH STAFF SERVICES. SO AT THIS TIME, I WOULD LIKE TO INCLUDE MY STAFF REPORT AND SEE IF YOU HAVE ANY QUESTIONS.

CHAIR KAFOURY: QUESTIONS OR COMMENTS?

COMM. SMITH: MADAM CHAIR, I HAVE A QUESTION. IN TERMS OF THIS PARTICULAR PROJECT, HOW LONG WILL IT TAKE TO COMPLETE, IF FUNDED?

MS. VALENCIA: WE EXPECT IT WILL PROBABLY TAKE ONE CONSTRUCTION CYCLE, SO THE GRANTS, THE GRANT IS AVAILABLE FOR FISCAL YEARS 2016 TO 2019. SO THE DECISION WILL BE MADE AND WE'LL WORK WITH THEM IN REGARDS TO NEGOTIATING AN IGA AND ANTICIPATE THAT THE MAINTENANCE GROUP WILL BE ABLE TO GO OUT THERE AND COMPLETE IT ON ONE CONSTRUCTION CYCLE.

COMM. SMITH: GREAT, THANK YOU.

COMM. MCKEEL: THANK YOU, NOT A QUESTION BUT JUST THANK YOU TO YOU FOR ALWAYS WATCHING OUT FOR THESE GRANT DOLLARS, THAT WE CAN ACCESS BECAUSE WE -- NO, THERE IS NOT ENOUGH TRANSPORTATION DOLLARS, AND THIS IS REALLY A HELPFUL WAY FOR US TO HELP WORK ON TRANSPORTATION PROJECTS OR COMPLETE THE TRANSPORTATION PROJECTS, SO I ALWAYS APPRECIATE YOUR WORK ON THAT. THANK YOU.

CHAIR KAFOURY: ALL THOSE IN FAVOR, VOTE AYE. THE NOTICE OF INTENT IS APPROVED.

MS. VALENCIA: THANK YOU.

CHAIR KAFOURY: NOW WE WILL RECESS AS THE MULTNOMAH COUNTY BOARD OF COMMISSIONER AND CONVENE AS THE DISTRICT BOUNDARY BOARD.

**R.3 RESOLUTION APPROVING A SCHOOL DISTRICT BOUNDARY CHANGE BETWEEN THE BEAVERTON SCHOOL DISTRICT AND THE HILLSBORO SCHOOL DISTRICT. SPONSOR: COMMISSIONER BAILEY. PRESENTERS: KATHERINE THOMAS, ASSISTANT COUNTY ATTORNEY (10 MIN)**

COMM. BAILEY: SO MOVED.

COMM. MCKEEL: SECOND.

CHAIR KAFOURY: COMMISSIONER BAILEY MOVES. COMMISSIONER MCKEEL SECONDS APPROVAL OF R3.

MS. THOMAS: GOOD MORNING, CHAIR KAFOURY AND COMMISSIONERS. I AM KATHERINE THOMAS, AND I AM HERE FROM THE COUNTY ATTORNEY'S OFFICE. I AM HERE TO TALK TO YOU THIS MORNING ABOUT A SCHOOL DISTRICT BOUNDARY CHANGE BETWEEN THE BEAVERTON SCHOOL DISTRICT AND THE HILLSBORO SCHOOL DISTRICT. AS YOU JUST STATED, YOU ARE ACTING THIS MORNING IN YOUR CAPACITY AS THE SCHOOL DISTRICT BOUNDARY BOARD FOR OUR MULTNOMAH COUNTY. AND BECAUSE THIS IS THE FIRST TIME THAT YOU HAVE ACTED IN THAT CAPACITY, I WILL GIVE YOU A LITTLE BACKGROUND ON WHY WE'RE DOING THIS, AND WHAT YOU ARE BEING ASKED TO APPROVE THIS MORNING. UNDER STATE LAW, ALL COUNTY GOVERNING BODIES ARE THE SCHOOL DISTRICT BOUNDARY BOARDS FOR THEIR COUNTY. THE PRIMARY RESPONSIBILITY OF THE SCHOOL DISTRICT BOUNDARY BOARD IS TO APPROVE THE BOUNDARY CHANGES BOTH FOR SCHOOL DISTRICTS LOCATED THIS THE COUNTY AND ALSO FOR DISTRICTS THAT ARE PARTLY OUTSIDE THE COUNTY WHERE THE BOUNDARY CHANGE COULD AFFECT THE DISTRICTS IN THE COUNTY. AND IT'S THE SECOND TYPE OF SITUATION THAT YOU ARE BEING ASKED TO APPROVE THIS MORNING. A BOUNDARY CHANGE THAT IS OCCURRING OUTSIDE THE COUNTY, BUT FOR DISTRICTS THAT PARTLY OVERLAP INTO MULTNOMAH COUNTY, AND THEREFORE, COULD AFFECT THE DISTRICTS THAT ARE FULLY WITHIN THE COUNTY. SPECIFICALLY, THE BEAVERTON AND HILLSBORO SCHOOL DISTRICTS ARE BOTH LOCATED PRIMARILY IN WASHINGTON COUNTY, THE BOUNDARY CHANGE, THE TERRITORY THAT'S BEING EXCHANGE IDEA IS LOCATED ENTIRELY IN WASHINGTON COUNTY. AND EACH DISTRICT HAS A SMALL PORTION OF ITS BOUNDARY THAT OVERLAPS INTO MULTNOMAH COUNTY, AND THAT'S WHY YOU ARE BEING ASKED TO APPROVE THIS BOUNDARY CHANGE TODAY.

MS. THOMAS: HOWEVER BECAUSE THE BOUNDARY CHANGE IS OCCURRING ENTIRELY IN WASHINGTON COUNTY WE DON'T ANTICIPATE ANY EFFECTS ON THE PROPERTY TAXES AND ON THE ELECTIONS OR ON THE STUDENTS IN MULTNOMAH COUNTY. IT'S MORE JUST THAT BECAUSE THE BOUNDARIES COME INTO MULTNOMAH COUNTY THERE IS A POSSIBILITY OF AN EFFECT AND YOU ARE ASKED TO WEIGH IN. TO GIVE YOU A BIT OF BACKGROUND ON

HOW WE GOT HERE, BOTH THE BEAVERTON AND HILLSBORO SCHOOL DISTRICTS TOOK THIS CHANGE THROUGH AN EXTENSIVE PUBLIC PROCESS, AND THEY CONVENED A WORK GROUP TO LOOK AT THIS CHANGE, AND THEY HAD COMMUNITY, OPEN HOUSES, AND THEY HELD PUBLIC MEETINGS, AND THEY LOOKED AT THIS FROM MULTIPLE ANGLES OBVIOUSLY FROM LOOKING FOR THE BEST EDUCATIONAL OUTCOME, FISCAL OUTCOME, AND THE IMPETUS FOR THIS CHANGE WHICH WAS THAT SOME NEW PROPERTY WAS BROUGHT INTO THE UGB, OR THE URBAN GROWTH BOUNDARY, AND IT'S CURRENTLY NOT A VERY DEVELOPED PROPERTY. AND THEY SAW THE OPPORTUNITY TO ALIGN THE SCHOOL DISTRICT BOUNDARIES, SO ESSENTIALLY, IF YOU ARE LIVING IN BEAVERTON, AND YOU ARE, YOUR CHILD WILL BE IN THE BEAVERTON SCHOOL DISTRICT, IF YOU ARE LIVING IN HILLSBORO YOUR CHILD WOULD BE IN THE HILLSBORO SCHOOL DISTRICT. AND THEY SAW AN OPPORTUNITY TO DO THAT BEFORE THIS AREA GOT HEAVILY DEVELOPED, AND THEREFORE, BEFORE IT WOULD DISRUPT A LOT OF STUDENTS. AND WHERE THEY ARE ATTENDING.

MS. THOMAS: AFTER BOTH SCHOOL BOARDS TOOK THIS THROUGH THEIR PROCESS AND APPROVED IT, IT WENT TO THE WASHINGTON COUNTY DISTRICT BOUNDARY BOARD, THE BOARD WITH JURISDICTION OVER THESE DISTRICTS. AND THEY TOOK IT THROUGH THEIR PUBLIC PROCESS, AND APPROVED IT. AND UNDER STATE LAW, AFTER THE BOARD APPROVES IT THERE IS A TIME FOR PEOPLE TO OBJECT BY CALLING AN ELECTION, AND THE TIME FOR THAT HAS NOW PASSED AND NO ONE OBJECTED. AND THIS ALSO WENT TO THE WASHINGTON COUNTY DISTRICT BOUNDARY, I'M SORRY THE YAMHILL COUNTY DISTRICT COUNTY BOARD BECAUSE THE HILLSBORO SCHOOL DISTRICT PARTLY OVERLAPS INTO YAMHILL COUNTY AND THEY TOOK IT THERE THROUGH THEIR PUBLIC PROCESS, AND THEY APPROVED IT AND NO ELECTION HAS BEEN CALLED. SO MULTNOMAH COUNTY IS A FINAL STEP IN GETTING THIS APPROVED, AND IT'S COMING TO YOU THIS MORNING TO APPROVE THROUGH A RESOLUTION. IT IS THE SAME THING THAT WASHINGTON AND YAMHILL COUNTY HAVE APPROVED.

CHAIR KAFOURY: ANY QUESTIONS OR COMMENTS?

COMM. SMITH: I HAVE A QUESTION; DOES THIS APPROVAL MEAN THAT WE HAVE TO PUT UP ANY RESOURCES FOR THIS NEW BOUNDARY CHANGE?

MS. THOMAS: NO.

COMM. SMITH: THANK YOU.

CHAIR KAFOURY: ANY OTHER QUESTIONS OR COMMENTS? ALL THOSE IN FAVOR VOTE AYE. THE RESOLUTION IS ADOPTED.

CHAIR KAFOURY: NOW WE WILL ADJOURN AS THE DISTRICT BOUNDARY BOARD AND RECONVENE AS THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS.

**R.4 RESOLUTION DIRECTING THE PROCEEDS FROM THE EDGEFIELD NORTH TO BE USED TO HELP FUND A REHABILITATED OR NEW ANIMAL SHELTER. SPONSOR: COMMISSIONER DIANE MCKEEL, DISTRICT 4. PRESENTER: MARISSA MADRIGAL, COO. (15 MIN)**

COMM. MCKEEL: SO MOVED.

COMM. BAILEY: SECOND.

COMMISSIONER MCKEEL MOVES AND COMMISSIONER BAILEY APPROVES APPROVAL OF R4.

COMM. MCKEEL: GOOD MORNING. I AM VERY PROUD TO SPONSOR THIS MORNING'S BOARD AGENDA ITEMS THAT DEDICATES THE PROCEEDS FROM THE SALE OF THE EDGEFIELD NORTH PROPERTY TO MULTNOMAH COUNTY ANIMAL SERVICES. FOR A NEW OR REHABILITATED SHELTER FACILITY. THIS FOLLOWS A PRECEDENT FROM OTHER COUNTY CAPITAL PROJECTS, AND WITH MY COLLEAGUE'S SUPPORT I HOPE TO SEE THIS MOVE ANIMAL SERVICES VISION FOR A NEW SHELTER. MARISSA MADRIGAL WILL PRESENT THE SPECIFICS OF WHAT THIS RESOLUTION WILL DO BUT FIRST I WOULD LIKE TO FIRST SHARE WHY I AM SPONSORING THIS BOARD ACTION. MULTNOMAH COUNTY ANIMAL SERVICES PROVIDES AN IMPORTANT COUNTY SERVICE. A NEW OR REHABILITATED SHELTER WOULD MEAN BETTER SERVICE FOR THE MORE THAN 90,000 CUSTOMERS WHO COME TO THE SHELTER EVERY YEAR. IT WOULD SUPPORT THE PROGRAM'S DEDICATED STAFF MEMBERS TO BETTER PERFORM THEIR DUTIES, AND MOST IMPORTANTLY IT WOULD ENABLE US TO PROVIDE BETTER CARE FOR OUR ANIMALS. THESE FUNDS WILL HELP TO START THE PROCESS TO DETERMINE WHAT THE NEXT STEPS NEED TO BE AND HELP US DOWN THE ROAD TO MAKE IT A REALITY. NOW I WILL TURN THIS OVER TO MARISSA. THANK

MS. MADRIGAL: THANK YOU, MARISSA MADRIGAL, GOOD MORNING, CHAIR AND COMMISSIONERS. SO I THOUGHT THAT I WOULD JUST REVIEW A LITTLE BIT. SO THIS RESOLUTION DOES EXACTLY AS IT SAYS, IT DEDICATES THE REVENUE OF THE SALE OF EDGEFIELD NORTH, WHICH IS TWO PARCELS NORTH OF HALSEY AND ADJACENT TO THE ANIMAL SERVICES. WE NEGOTIATED A SALE SEVERAL YEARS AGO TO MICHAEL, THE OWNER OF THE MCMENAMIN HOTEL EMPIRE. AND THEY PLANNED TO, FOR NOW, USE THE PROPERTY FOR MOSTLY AGRICULTURAL PURPOSES AND WITH HOPE TO EVENTUALLY DEVELOP - ACTUALLY, RECREATE SOME OF THE BUILDINGS THAT THE COUNTY HAD ON THE PROPERTY BACK WHEN IT WAS CALLED THE PIG FARM. SO THE SALE IS ESTIMATED TO CLOSE JULY 15TH. YOU WILL

RECALL THAT THERE ARE A COUPLE OF CONTINGENCIES BUILT INTO THE DEAL. IF WE MANAGED TO EXERCISE ALL OF OUR RIGHTS, THE TOTAL, IT IS TOTAL AMOUNT OF THE SALE WOULD BE 3.38 MILLION. WE BELIEVE THAT WE WILL DO THAT. THERE WAS A CONTINGENCY BUILT IN, IF, FOR THE COUNTY TO REMOVE THE RIGHT-OF-WAY, IF WE WERE SUCCESSFUL, WHICH WE WERE, AND IN REMOVING THE RIGHT-OF-WAY SOUTH OF HALSEY. THE SALES PRICE WENT UP. IF WE WEREN'T SUCCESSFUL IN REMOVING THE REVERSIONARY RIGHTS THAT THE CITY OF PORTLAND HAD ON THE NORTHERN PART THE SALE PRICE WOULD GO DOWN. I AM HAPPY TO REPORT THAT WE HAVE POSITIVE OUTCOMES ON ALL THOSE FRONTS, SO THAT, WE WILL BE NEAR THAT TOTAL, OF \$3.38 MILLION. THE REVENUE WILL COME IN OVER A SERIES OF YEARS WITH A BALLOON PAYMENT AT THE END OF FIVE YEARS. HOWEVER IF MCMENAMINS RECEIVES FINANCING OR OTHER FUNDING FOR NON-AGRICULTURAL IMPROVEMENTS ON THE PROPERTIES, IN OTHER WORDS, IF THEY DON'T GET A LOAN OR GET MONEY TO START BUILDING, BUILDINGS ON THE PROPERTY, THE PAYMENT BECOMES DUE. SO IT'S POSSIBLE IF THEIR DEVELOPMENT SCHEDULE PROCEEDS MORE QUICKLY THAN WE ANTICIPATED, WE WILL SEE THAT, WE WILL SEE THAT MONEY SOONER. THAT'S REALLY IT. WE WILL, WE WILL SET UP A FUND, AND WE WILL PUT THE PROCEEDS THERE, AND IT WILL BE DEDICATED TO THE ANIMAL SERVICES THAT WE HAVE FOR REPLACEMENT. ANY QUESTIONS?

CHAIR KAFOURY: QUESTIONS OR COMMENTS?

COMM. SMITH: MADAM CHAIR, I HAVE A COMMENT. I WANT TO THANK COMMISSIONER MCKEEL FOR HER LEADERSHIP ON THIS PROJECT AND BRINGING IT FORWARD. I KNOW THAT THIS WILL DIRECT OUR COUNTY DOLLARS INTO A MUCH NEEDED AND PRIORITIZED IMPROVEMENT PROJECT FOR ANIMAL SERVICES. THIS WILL HELP US TO GET TO A BETTER PLACE WITH THE ANIMAL SERVICES, SO THANK YOU FOR PUTTING THIS TOGETHER.

CHAIR KAFOURY: I WANT TO JUST THANK YOU AS WELL, COMMISSIONER MCKEEL, THIS IS A GREAT IDEA AND A GREAT NEXUS, AND ALLOWING THE SEED FUND AS WE'RE STARTING THE DISCUSSIONS AND DELIBERATIONS ABOUT HOW BEST TO HELP THE STAFF AND THE ANIMALS THAT WE HOUSE OUT AT OUR ANIMAL SHELTER. ALL RIGHT, ALL THOSE IN FAVOR, VOTE AYE. THE RESOLUTION IS ADOPTED.

THANK YOU.

**R.5 AUTHORIZING SETTLEMENT OF LAWSUIT, *TIFFANY EGGLETON V. MULTNOMAH COUNTY, ET AL*, MCCC CASE NO. 15CV28231. PRESENTER: JENNY MADKOUR, COUNTY ATTORNEY. (5 MIN)**

COMM. BAILEY: SO MOVED.

COMM. MCKEEL: SECOND.

CHAIR KAFOURY: COMMISSIONER BAILEY MOVES. COMMISSIONER MCKEEL SECONDS APPROVAL OF R5.

MS. MADKOUR: GOOD MORNING CHAIR AND COMMISSIONER, JENNY MADKOUR, COUNTY ATTORNEY. WE ARE HERE TO DISCUSS A CASE THAT WAS REVIEWED IN EXECUTIVE SESSION, AND UNLESS YOU HAVE ANY QUESTIONS, I AM HERE TO ANSWER ANY QUESTIONS.

CHAIR KAFOURY: QUESTIONS OR COMMENTS FOR OUR COUNTY ATTORNEY?

COMM. SMITH: MADAM CHAIR, JENNY, COULD YOU GIVE US A BRIEF SUMMARY OF WHAT, WHAT WE'RE VOTING ON? SO THAT THE FOLKS KNOW WHAT IT IS? THEY ARE NOT PRIVY TO ALL OF THAT.

SURE. SO IN MULTNOMAH COUNTY IF SOMEONE WANTS TO BRING A LAWSUIT AGAINST THE COUNTY, THEY FILE WHAT'S CALLED A TORT CLAIM NOTICE. AND THAT'S AN OPPORTUNITY FOR THE COUNTY TO LOOK INTO THE CLAIMS THAT ARE BEING ALLEGED AND TO TAKE ACTION THAT WE DEEM APPROPRIATE. SOMETIMES WE DEFEND THE LAWSUIT AND TAKE THEM TO COURT. SOMETIMES IF WE FIND AN OPPORTUNITY TO RESOLVE THE CASE IN THE MATTERS IN THE BEST INTEREST OF THE COUNTY THAT'S WHAT WE WILL DO. IN THIS CASE WE HAVE A FALSE IMPRISONMENT CASE WHERE THERE WERE MISTAKES MADE BY OTHER JURISDICTIONS, AND RELATED TO A WARRANT, AND MULTNOMAH COUNTY ACTED IN GOOD FAITH, BUT IN THE END, THE PERSON'S RIGHTS WERE IMPLICATED OR THEY BELIEVED SO, SO ONCE WE INVESTIGATED THIS, WE DETERMINED THAT TAKING ACTION IMMEDIATELY COULD SETTLE IT WAS IN THE BEST INTEREST OF THE COUNTY AND OF THE COMPLAINANT.

COMM. SMITH: THANK YOU.

BOARD CLERK: WE HAVE PUBLIC COMMENT.

CHAIR KAFOURY: GO AHEAD.

MR. LIGHTNING, PLEASE COME FORWARD.

CHAIR KAFOURY: GOOD MORNING.

I AM LIGHTNING, I REPRESENT LIGHTNING WATCHDOG PDX. MY ONLY QUESTION ON THIS, AND I AM SURE A LOT OF THE TAXPAYERS WOULD LIKE TO KNOW, AND ALSO DID THE INSURANCE COVER THIS, WHAT WAS THE TOTAL PAYOUT TO THIS INDIVIDUAL THAT WAS NEGOTIATED? AND WERE THERE CONFIDENTIALITY AGREEMENTS SIGNED TO WHERE WE CANNOT BE

MADE AWARE THAT NUMBER? MY UNDERSTANDING OF THAT NUMBER, IT SHOULD BE PUBLIC INFORMATION, AND AGAIN, WHERE DOES THAT MONEY TO PAY THIS COME FROM? I AM HOPING IT'S NOT OUT OF THE GENERAL FUND. I ASSUME THAT IT'S OUT OF THE SOME TYPE OF, OF INSURANCE POLICY BUT MAYBE THAT CAN BE MADE MORE CLEAR TO THE PUBLIC AND I AM SURE THAT THEY WOULD LIKE TO KNOW ALSO, THANK YOU.

CHAIR KAFOURY: THANK YOU.

MS. MADKOUR: ONE FOLLOW-UP, CHAIR AND COMMISSIONERS, SETTLEMENTS OF CLAIMS ARE PAID OUT OF THE RISK FUND AND ALL SETTLEMENTS ENTERED INTO BY MULTNOMAH COUNTY ARE PUBLIC RECORD AND SUBJECT TO DISCLOSURE UPON REQUEST.

COMM. SMITH: I HAVE A QUICK QUESTION. THE RISK FUND, WE'RE SELF INSURED, CORRECT?

MS. MADKOUR: THAT'S CORRECT.

COMM. SMITH: THANK YOU.

MR. LIGHTNING: AGAIN IF I MIGHT ADD TO THAT, I DID ASK FOR A NUMBER TO BE PUT ON THE RECORD TODAY. WOULD THAT BE POSSIBLE TO HAVE THAT AM PUT ON THE RECORD TODAY DUE TO THE FACT THAT SHOULD BE PUBLIC RECORD ANYWAY. THANK YOU.

MS. MADKOUR: THANK YOU, MR. LIGHTNING. IF I COULD REMEMBER THE NUMBER RIGHT NOW I WOULD DISCLOSE IT. UNFORTUNATELY I DON'T HAVE THAT OFF THE TOP OF MY HEAD.

CHAIR KAFOURY: ANY OTHER QUESTIONS OR COMMENTS? ALL THOSE IN FAVOR VOTE AYE. THE SETTLEMENT IS APPROVED.

### **BOARD COMMENT**

BC.1 OPPORTUNITY AS TIME ALLOWS, FOR THE COMMISSIONERS TO PROVIDE COMMENT ON NON-AGENDA ITEMS.

CHAIR KAFOURY: NOW WE HAVE COME TO THE TIME ON OUR AGENDA FOR NON-AGENDA ITEMS TO BE DISCUSSED. DO WE HAVE ANYTHING FOR THE GOOD OF THE ORDER? OF COURSE.

COMM. MCKEEL: IT'S THE FOURTH OF JULY WEEKEND COMING UP SO FIRST OF ALL EVERYONE HAS A SAFE AND A HAPPY FOURTH OF JULY. SECOND IT'S A BIG EVENT DAY IN CORBETT, WITH ALL DAY FESTIVITIES FOR THE FOURTH OF JULY IN CORBETT STARTING WITH THE PARADE ENDING IN FIREWORKS, SO COME OUT TO CORBETT AND ENJOY THE FESTIVITIES.

CHAIR KAFOURY: THANK YOU. ANY OTHER COMMENTS?

**ADJOURNMENT – 10:07 AM**

CHAIR KAFOURY: ALL RIGHT. SEEING NO FURTHER BUSINESS, WE ARE ADJOURNED. [GAVEL POUNDED]

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SUBMITTED BY:  
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BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY, OREGON