

**Minutes of the Board of Commissioners  
Multnomah Building, Board Room 100  
501 SE Hawthorne Blvd., Portland, OR  
Thursday, October 27, 2011**

**REGULAR MEETING**

Chair Jeff Cogen called the meeting to order at 9:32 a.m. with Vice-Chair Loretta Smith and Commissioners Deborah Kafoury, Judy Shiprack and Diane McKeel present.

**CONSENT AGENDA**

- C.1 BUDGET MODIFICATION DCHS12-10, Reclassifying a Current Full-time Program Specialist, Senior Position to a Mental Health Consultant Position in the Mental Health and Addictions Services Division, as Determined by the Class/Comp Unit of Central Human Resources; and, Moving One 1.00 FTE Program Specialist, Senior Position to a New Program Offer.
- C.2 BUDGET MODIFICATION DCHS12-12, Reclassifying a Current Full-time Admin Analyst Sr. Position to a Full-time Admin Analyst Position in the Department of County Human Services Mental Health & Addiction Services Division, as Determined by the Class/Comp Unit of Central Human Resources.
- C.3 NOTICE OF INTENT (NOI) to Submit an Application for \$40,000 to the National Association of Chronic Disease Directors' Action Communities for Health, Innovation, and Environmental Change (ACHIEVE) Mentor Technical Assistance Program.

Upon motion made by Commissioner Shiprack and seconded by Commissioner McKeel the consent calendar was unanimously approved.

**PUBLIC COMMENT**

Opportunity for Public Comment on non-agenda matters. Testimony limited to three minutes per person unless otherwise designated by the presiding officer.

Public Comment was given and received for the record.

**REGULAR AGENDA**

- R.1 PUBLIC HEARING and RESOLUTION Approving Government Transfer of Property. Presenters: Randy Walruff, Division Director, with Albert Jinkins, Tax Exemption Specialist and Zalane Nunn, City of Portland, Parks & Recreation.**

Vice-Chair Kafoury moved and Commissioner Smith seconded approval of R.1.

Mr. Jinkins explained that on July 25<sup>th</sup>, 2011 the City of Portland (City) contacted Special Programs and requested two properties R100129 and R308335 contingent on completing an Environmental Site Assessment (ESA) on each parcel. The City expressed concerns because of the location of R100129 being on the slough and the presence of a demolished structure on

R308335. ESA's for both parcels have since been completed and the City is ready to accept both properties. The proposed transfers of the properties do not provide for reimbursement to the County for these costs. This action effects program offer 72051 by placing two Tax Foreclosed Properties into public use. A notice of the transfer hearing was published in the Daily Journal of Commerce for two successive weeks.

Mr. Jenkins responded to questions and comments from the Board.

Time for public comment was announced, but no one chose to testify.

Resolution No. 2011-127 was unanimously adopted.

**R.2 RESOLUTION Approving the Purchase of Certain Real Property Interests for the New Sellwood Bridge Project from John Shmilenko, Trustee and Patti K. Shmilenko, Trustee. Sponsor: Vice-Chair Deborah Kafoury. Presenter: Ian Cannon, Program Manager, Sellwood Bridge Project.**

Vice-Chair Kafoury moved and Commissioner McKeel seconded approval of R.2.

Mr. Cannon explained that on January 27, 2011 the Board of County Commissioners approved Resolution No. 2011-008 directing the Department of Community Services to begin negotiations to acquire property for the removal of the existing Sellwood Bridge and the construction of a new bridge. The County initially contacted John and Patti Shmilenko on February 3, 2011 concerning the potential acquisition of their parking space. The County has been in continuous contact with John and Patti since then to ensure that all parties were aware of the project's schedule and the impacts to their parking space. An appraisal of the property was prepared and an offer was presented on June 21, 2011. Since then the County has contacted and conducted negotiations with John and Patti Shmilenko for the acquisition of their parking space which is located within the Riverpark Condominiums site beneath the bridge. The final proposed amount is for \$10,000.00.

He responded to questions and comments from the Board.

Resolution No. 2011-128 was unanimously adopted.

**R.3 BUDGET MODIFICATION HD-12-03 – Request Approval to Appropriate \$225,000 in Revenue from the Centers for Disease Control and Prevention (CDC) Striving to Reduce Youth Violence Everywhere (STRYVE) Grant. Presenters: Noelle Wiggins, Manager, Community Capacitation Center & Sandy Johnson, Health & Social Justice Director.**

Commissioner Shiprack moved and Vice-Chair Kafoury seconded approval of R.3.

Ms. Johnson provided the explanation. She discussed the purpose of these funds and responded to questions and comments from the Board. She said that multiple factors put some youth at higher risk; particularly youth of color. The primary requirement for this particular CDC funding focuses on one region of the County. They chose to start in Northeast Portland, but they are all committed to making sure this spreads to all areas of the County as it has positive implications. This funding supports work with partners.

The purpose of the STRYVE grant program is to support public health departments to organize and lead a multi-sector coalition to prevent youth violence using STRYVE tools within high-risk communities like North and Northeast Portland.

Approval of this budget modification will increase the Health Department's Federal/State Fiscal Year 2012 budget by \$225,000.

BudMod HD-12-03 was unanimously approved.

*The Board recessed as the Multnomah County Board of Commissioners and convened as the MULTNOMAH COUNTY BOARD OF HEALTH.*

**R.4 Board of Health Consideration of POLICY ORDER 101111: Approving the Proposed Board of Health Action to Address Bisphenol-A (BPA). Sponsor: Chair Jeff Cogen. Presenters: Sonia Manhas, MSW – Mgr., Office of Public Health Policy; Gary Oxman, MD, MPH - Health Officer, Multnomah, Clackamas & Washington Counties; Lila Wickham, RN, MS - Mgr., Multnomah County Environmental Health; & Lillian M. Shirley, BSN, MPH, MPA, Multnomah County Health Department Director.**

Vice-Chair Kafoury moved and Commissioner Shiprack seconded, approval of R-4.

Chair Cogen provided the introductions and overview. He said the intent of the Policy Order is to restrict the sale of Bisphenol-A, limiting the sale in baby bottles, sippy cups and beverage containers. A briefing was held on this last week, and a public hearing held on the hazards of BPA. He also stated that the Health Department will discuss the policy and take questions from the Board. That will be followed by public testimony.

Chair Cogen called up Dan Saltzman, Commissioner, City of Portland. He said when the Legislature failed earlier this year to take action, he and Staff met with the Commissioner and City Staff and they decided it was appropriate to look at what could be done on a local level. They convened a group of people to act, and this ultimately led to today's action.

Commissioner Saltzman spoke about the State's efforts to ban BPA in infant baby containers and beverage containers. He discussed the work they did over two consecutive legislative sessions on this, and all the folks who tried to get this passed. He applauded the efforts of the County and pledged his office's support to institute the appropriate policies and provide appropriate outreach and education.

Chair Cogen thanked Commissioner Saltzman, adding that the City is committed to sharing costs with the County in doing outreach.

Ms. Manhas introduced the Health Department Team. She outlined the basis for the Health Department's concern about BPA and the policy action to reduce exposure to this chemical in Multnomah County. Second, as to implementation, the Health Department provided an overview of how the Health Department will promulgate rules and regulations to implement the Policy Order, including addressing those questions raised by Board Members during the Briefing last week.

Ms. Manhas gave a general background of how this chemical is used in the food and beverage industry. She talked of how low level exposure is linked to health complications later in life. Many jurisdictions across the USA have concluded this chemical is hazardous to human health and have passed legislation to eliminate it. One is a hormone disrupting chemical with exposure that causes health effects in babies and infants; they are more vulnerable to the health effects in terms of developmental sensitivity and greater likelihood of exposure. The Policy is designed to restrict the sale of containers containing this chemical including water bottles, baby bottles and children's sippy cups. It focuses on these containers because of the pathway for oral transmission. Industry actions have reduced the amount of availability but these actions haven't equally benefited all communities.

Dr. Oxman said the weight of the scientific evidence around BPA raises concerns that are serious enough about the adverse health effects of this chemical and the nature of these harms and the pathways of exposure are such that it's very reasonable for the County to take protective action. BPA has been used in making plastics since the 1930s. It has been known for decades that Bisphenol A is an endocrine disrupter. It mimics the activity of Estrogen, the Female Hormone, and causes developmental effects as a result of that. BPA is widely distributed. Blood and urine tests on the population show everyone is carrying BPA in their system. There is a growing body of scientific evidence suggesting that there is potential harm to human health as a result of exposure to BPA. A study published this week in the Journal of Pediatrics shows I Laboratory studies and research show an increased risk of breast cancer, prostate cancer, and perhaps, early puberty, lower sperm counts, and other reproductive problems; obesity, and changes in brain development. There is a group of studies showing the association between BPA and illnesses in adults including heart disease, diabetes, liver function, abnormalities and thyroid function abnormalities. A new study looked at the levels of BPA in pregnant women, and then in their children. They found a correlation between BPA in pregnant women and some measures of behavioral abnormality when children were three years old. There is also a health equity issue here, particularly in low income communities. All these reasons together make it reasonable for the County, acting as the Board of Health, to take this action.

Ms. Manhas discussed the implementation of the Proposed Order. The Policy Order directs the Health Department to promulgate rules and regulations to carry out and enforce the restrictions. Second, it directs the Health Department to continue monitoring emerging scientific research that examines the health effects of other products containing BPA and make recommendations to the Board about reasonable steps that could be taken to reduce exposure to chemical toxins in infants, children, and in adults. Third, if the Policy Order is adopted, the Health Department's Environmental Health Services will be responsible for leading the rule-making process. Through that process, public input and involving stakeholders will be sought out.

Ms. Wickham reviewed the components to implement the Policy Order. Education outlining the reasons for this Order; basic information for the public; a static website where materials can be posted for people to access and have an opportunity to comment will all be made available. She reviewed the timeline and the rule-making process, assuring the Board that there is opportunity for public comment to make the rules work for everyone involved.

The Presenters responded to questions and comments from the Board.

Chair Cogen then invited Elected Officials up to speak including State Senator Jackie Dingfelder and Representative Alyssa Keny-Guyer.

Chair Cogen then opened up time for Public Comment and the Board heard from all those who had signed up for this hearing. A total of 43 testified. A total of 9 written testimonies were also submitted. Following testimony, Chair Cogen invited thanked everyone for being here today, and for their very passionate testimony. He said he and the Board are honored to be here and be a part of this. He emphasized that the Board is very committed to this action today and protecting the public health.

Order No. 2011-129 was unanimously adopted.

*The Board adjourned as the MULTNOMAH COUNTY BOARD OF HEALTH and reconvened as the Multnomah County Board of Commissioners.*

### **BOARD COMMENT**

BC.1 Opportunity as time allows, for the Commissioners to provide comment on non-agenda items.

Comments pertaining to non-agenda items were made by the Board and noted in the record.

### **ADJOURNMENT**

There being no further business, the meeting was adjourned at 11:40 a.m.

**The minutes reflect the actions of the Board. For more detail, you are welcome to view the presentation material and/or video at:**

**[http://multnomah.granicus.com/ViewPublisher.php?view\\_id=3](http://multnomah.granicus.com/ViewPublisher.php?view_id=3)**

Submitted by:

Lynda J. Grow, Board Clerk and  
Marina Baker, Assistant Board Clerk  
Board of County Commissioners  
Multnomah County