

**Minutes of the Board of Commissioners
Multnomah County, Oregon
501 SE Hawthorne Blvd., Room 100, Portland, Oregon
Thursday, June 28, 2012**

REGULAR MEETING

Chair Jeff Cogen called the meeting to order at 9:35 a.m. with Vice-Chair Loretta Smith and Commissioners Deborah Kafoury, Judy Shiprack present and Commissioner and Diane McKeel excused.

CONSENT AGENDA

- C.1 REAPPOINTMENT of Three Members to the Multnomah County Bicycle Pedestrian Citizen Advisory Committee.
- C.2 Intergovernmental Revenue Agreement (IGA) Amendment 0709008-4 with the City of Wood Village for Police Services.
- C.3 RESOLUTION No. 2012-081 Establishing Fees and Charges for Chapter 15, Sheriff, of the Multnomah County Code and Repealing Resolution No. 2012-039.
- C.4 MCSO Unclaimed Property Sale/Auction AUTHORIZATION.

Upon motion made by Vice-Chair Smith and seconded by Commissioner Shiprack 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.

Testimony was given and received for the record.

REGULAR AGENDA

- R.1 RESOLUTION Approving A Lease Of Real Property For Property Located At 847 NE 19th Avenue, Portland, OR for Relocation Of Environmental Health Program And Authorizing County Chair To Execute Appropriate Documents To Complete the Transaction. Presenter: Carla Bangert, F&PM.**

Commissioner Shiprack moved and Commissioner Kafoury seconded approval of R-1.

Ms. Bangert provided the explanation. She said the Board's approval today would authorize the Chair to execute a lease. Environmental Health has to be relocated due to the remodel of the County's Southeast Health Center. Terms are five years with annual rent for the first year of \$153,414 and incremental increases over the life of the lease. She responded to questions and comments from the Board.

Resolution No. 2012-082 was unanimously adopted.

R.2 RESOLUTION Authorizing the Acquisition of Real Property for the Purpose of Constructing Road Improvements on Troutdale Road in the City of Troutdale. Presenters: Patrick Hinds, Right of Way Mgr & Matthew O. Ryan, Assistant County Attorney.

Commissioner Shiprack moved and Commissioner Kafoury seconded approval of R-2.

Mr. Hinds made the introductions and provided the explanation saying this is for property associated with the construction of road improvements along SE Troutdale Road, County Road No. 533. This safety improvement project will provide 450 feet of ADA/sidewalk infill and infrastructure preservation including sidewalk, curb, bike lane, and parking strip. This work will occur during 2012 at a cost of approximately \$100,000. If the easement can't be acquired through negotiations, the proposed improvements will not be constructed. He responded to questions and comments from the Board.

Resolution No. 2012-083 was unanimously adopted.

R.3 RESOLUTION Authorizing the Acquisition of Real Property for the Purpose of Constructing Road Improvements on NW Newberry Road, in Unincorporated Multnomah County. Presenters: Patrick Hinds & Matthew O. Ryan.

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

Mr. Hinds provided the explanation saying that this is for property associated with construction of road improvements and repairs along the westerly side of NW Newberry Road, County Road 4320 due to damages from a slope failure and rock slide that occurred in 2010. They are now budgeted in Fiscal Year 2013. He described the repairs that will be done and how it will address drainage issues. He confirmed that no one was hurt in the slide, but one property owner was impacted. The County needs to acquire a temporary construction easement; it will be written to expire automatically at the end of the bond period. This covers the warranty for the contractor for the period repairs are being done, which will be done in 2012. He responded to questions and comments from the Board.

Resolution No. 2012-084 was unanimously adopted.

R.4 Intergovernmental Agreement (IGA) with the Oregon Department of Transportation (ODOT) for Improvements to US 30 at Cornelius Pass Road. Presenter: Brian Vincent, PE, County Engineer, LUT.

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

Mr. Vincent provided the explanation. ODOT is performing improvements at Hwy US 30 and Cornelius Pass Road. County has asked ODOT to replace an aging culvert in conjunction with their work, which will save money and improve drainage flow. He outlined the work and costs to be paid out of the Road Services Program outlined in the IGA. He responded to questions and comments from the Board.

The IGA was unanimously approved.

R.5 RESOLUTION Authorizing the Acquisition of Real Property for the Purpose of Constructing Road Improvements on NE Halsey Street in the City of Wood Village. Presenters: Patrick Hinds & Matthew O. Ryan.

Commissioner Shiprack moved and Commissioner Kafoury seconded approval of R-5.

Mr. Hinds provided the explanation saying this property associated with road improvements along the North side of NE Halsey, County Road No. 1120. He described the repairs that will be done and how they will address traffic and pedestrian issues. This safety improvement project will provide 450 feet of ADA/sidewalk infill and infrastructure preservation including sidewalk, curb, bike lane, and parking strip. This work will occur during 2012 at a cost of approximately \$150,000. If the easement can't be acquired through negotiations, the proposed improvements will not be constructed. He responded to questions and comments from the Board.

Resolution No. 2012-085 was unanimously adopted.

R.6 RESOLUTION Approving Mt. Hood Cable Regulatory Commission (MHCRC) Fiscal Year 2012-2013 Budget. Sponsor: Commissioner McKeel. Presenters: Carol Studenmund - Multnomah County Representative & David Olson - MHCRC.

Commissioner Shiprack moved and Commissioner Kafoury seconded, approval of R-6.

Ms. Studenmund presented the Mt. Hood Cable Regulatory Commission (MHCRC) the Fiscal Year 2012-13 budget request for Board consideration. She said the budget was extensively reviewed by the MHCRC and its budget subcommittee. The MHCRC unanimously approved the budget on May 21, 2012 for submission to each jurisdiction. The estimated franchise fee revenue to Multnomah County's general fund is approximately \$48,352 during FY 2012-2013. She responded to questions and comments from the Board.

Public testimony was given and received for the file.

Resolution No. 2012-086 was unanimously adopted.

R.7 RESOLUTION to Appoint County Financial Assistance Administrator for Mental Health and Addiction Services Agreement # 1112060 (State #134327) with the State of Oregon acting by and through its Oregon Health Authority (OHA). Presenter: Kathy Tinkle, Deputy Director.

Commissioner Shiprack moved and Commissioner Kafoury seconded approval of R-7.

Ms. Tinkle asked for approval to appoint Susan Myers, Kathy Tinkle, and David Hidalgo as the County Financial Assistance Administrators and to authorize them to amend the Assistance Award on behalf of the County, by execution and delivery of amendments to the Agreement in accordance with Section E.4 of Agreement #134327. The agreement requires an Authorizing Resolution to administer and act on behalf of the County. She responded to questions and comments from the Board.

Resolution No. 2012-087 was unanimously adopted.

R.8 RESOLUTION to Appoint County Financial Assistance Administrator for Developmental Disabilities State of Oregon Department of Human Services Agreement #1112061 (State #134327). Presenter: Kathy Tinkle.

Commissioner Shiprack moved and Commissioner Kafoury seconded approval of R-8.

Ms. Tinkle provided the explanation. She asked for approval to appoint Susan Myers, Kathy Tinkle and Patrice Botsford as the County Financial Assistance Administrators for Developmental Disabilities and to authorize them to amend the Financial Assistance Award (“Agreement”) on behalf of the County, by execution and delivery of amendments to the Agreement in accordance with Section D.4 of Agreement #1343288. The agreement requires an Authorizing Resolution to administer and act on behalf of the County. She responded to questions and comments from the Board.

Resolution No. 2012-088 was unanimously adopted.

R.9 BUDGET MODIFICATION HD-12-28 Requesting General Fund Contingency Transfer to Appropriate \$38,393 in One-time-only Revenue for the Tri-County Medicaid Collaborative Process. Presenter: Joanne Fuller, Chief Operating Officer.

Commissioner Shiprack moved and Vice-Chair Smith seconded approval of R-9.

Ms. Fuller provided the explanation. She said approval of this BudMod for \$38,393 of General Fund Contingency for the Tri-County Medicaid Collaboration, will allow them to complete the TCMC process and fully staff the creation of a proposed Coordinated Care Organization (CCO). The 14 sponsoring organizations on the TCMC Executive Steering Committee have agreed to contribute to a fund to support the process and their contribution is calculated on each organization’s ability to pay as represented by their total health care revenues or their annual budget. Multnomah County will contribute up to \$153,623. The first installment of \$38,393 will be paid in the current fiscal year, with future installments of up to \$115,230 in subsequent fiscal years. This fund is not intended to capitalize the new company itself, and will only be used to compensate staff assigned full-time to the TCMC project and for services such as legal, consulting, website design, public relations, and meeting expenses. She discussed the purpose of these funds and responded to questions and comments from the Board.

BudMod HD-12-28 was unanimously approved.

R.10 NOTICE OF INTENT To Submit an Application for up to \$600,000 to the CDC’s “PPHF 2012 Viral Hepatitis, Early Identification and Linkage to Care for Person with Chronic HBV and HCV Infections Financed Solely by 2012 Prevention and Public Health Funds” Funding Opportunity. Presenters: Amy Sullivan, Communicable Disease Program Manager; Kim Toevs, STD/HIV/HCV Program Manager; and Marc Harris, Health Services Development Administrator.

Commissioner Shiprack moved and Commissioner Kafoury seconded approval of R-10.

Mr. Harris made introductions and provided the explanation. He said approval of this NOI will allow them to apply for up to \$600,000 from the CDC's "PPHF 2012 Viral Hepatitis, Early Identification, and Linkage to Care for Persons with Chronic HBV and HCV Infections Financed Solely by 2012 Prevention and Public Health Funds" funding opportunity. This supports efforts to improve the health of populations disproportionately affected by viral hepatitis. He responded to questions and comments from the Board.

The NOI was unanimously approved.

R.11 NOTICE OF INTENT to Submit an Application for up to \$315,000 to the Robert Wood Johnson Public Health Law Research: Making the Case for Laws that Improve Health Funding Opportunity. Presenter: Julie Maher, PDES Principal Investigator Mgr. & Marc Harris.

Commissioner Shiprack moved and Commissioner Kafoury seconded approval of R-11.

Mr. Harris provided the explanation saying the Health Department's Program Design and Evaluation Services is requesting authorization to apply for up to \$315K over 30 months from the Robert Wood Johnson Foundation for "making the case for laws that improve health" funding opportunity. PDES will utilize this funding to assess the impact of the implementation of Washington's new laws governing the distribution and sale of alcohol on public health. The negative impacts of excessive alcohol consumption on health are well known; however, the impacts that laws and policies (e.g., availability of alcohol) have on alcohol consumption have not been studied in nearly as much detail. Lack of evidence on how deregulation affects excessive alcohol consumption allowed Voter Initiative 1183 to ignore potential health consequences and costs. This Bill was promoted as a revenue-generating strategy. He responded to questions and comments from the Board.

The NOI was unanimously approved.

R.12 NOTICE OF INTENT to Submit an Application for up to \$300,000 to the Food and Drug Administration Advancing Conformance with the Voluntary National Retail Food Regulatory Program Standards Funding Opportunity. Presenters: Lila Wickham, Environmental Health Services Manager; and Marc Harris.

Commissioner Shiprack moved and Commissioner Kafoury seconded approval of R-12.

Ms. Wickham provided the explanation. She said approval to submit this application will allow them to apply for up to \$300,000 and if awarded, would advance efforts for a nationally integrated food safety system through conformance with and advancement of standards, with focus on the reduction of risk factors known to contribute food borne illnesses. She responded to questions and comments from the Board.

The NOI was unanimously approved.

R.13 SUPPLEMENTAL BUDGET #3 - Increasing General Fund Appropriation and Decreasing Federal/State Fund Appropriation by \$1,100,000 to Reflect Change in the Health Department's Payor Mix. Presenter: Lester A. Walker, Budget & Finance Manager.

Commissioner Shiprack moved and Commissioner Kafoury seconded approval of R-13.

Mr. Walker provided the explanation saying that approval is needed to increase the General Fund, Medicaid Wraparound Sub-fund appropriation and decrease the Federal/State Fund appropriation by \$1,100,000 to reflect a change in the payor mix. A supplemental budget is the way the Board can address changes in financial conditions not anticipated at the time the budget was adopted. No new appropriation is added to the Health Department budget as a result of this transaction. Based on current FY 2012 revenue estimates, the Department expects to collect more Medicaid wraparound revenue than Medicaid fee-for-service revenue. This is due to the change in the payor mix with the Department serving more clients enrolled in managed care plans and serving fewer DMAP open card clients. A budget adjustment is needed to ensure adequate appropriation in the General Fund to avoid a possible budget violation by spending more than the appropriated amount. He responded to questions and comments from the Board.

Supplemental Budget #3 was unanimously approved.

R.14 Budget Modification NON-D-13-01 Requesting General Fund Contingency Transfer for the Homeless Youth System's (HYS) Metamorphosis Project, Ensuring Ongoing Delivery of Culturally Specific Addictions Treatment and Mental Health Services for Homeless Youth. Sponsor: Commissioner Shiprack. Presenter: Mary Li, Division Manager.

Commissioner Shiprack moved and Commissioner Kafoury seconded approval of R-14.

Ms. Li provided the explanation. She asked the Board's approval of contingency request Nond-01, appropriating \$265,000 from General Fund contingency for the Homeless Youth System's (HYS) Metamorphosis Project. This funding will ensure the ongoing delivery of culturally specific addictions treatment and mental health services for homeless youth. Prior to 2001, Project Metamorphosis was a County program. In 2001, Janus applied for a Robert Wood Johnson grant and received funding for this model of service delivery. When the grant ended, the City of Portland, Children's Levy picked up funding. They were completely cut from the levy this year due to compression constraints on the levy's budget. If the program ceases to exist, this indigent population will have no services in mental health or alcohol and drug addictions treatment. Services include screening, assessment, counseling, peer mentoring, support groups, and psychiatric care for over 250 youth annually. The Project model utilizes Positive Youth Development practices, and employs formerly homeless youth who have achieved sobriety to act as peer mentors. She answered questions and comments from the Board.

BudMod NON-D-13-01 was unanimously approved.

R.15 Authorizing Settlement of *T.B v. Multnomah County, et al* Multnomah County Circuit Court Case Civil No. 1110-13887. Presenter: Carlos J. Calandriello, Assistant County Attorney Senior

Commissioner Shiprack moved and Commissioner Kafoury seconded approval of R-15.

Mr. Calandriello provided the explanation. Approve settlement of \$175K. Plaintiff sued the County for alleged negligence and violations of her civil rights stemming from a former County employee's custodial sexual misconduct. Settlement in this case is acceptable and as it resolves this matter in its entirety, insulates the County from further liability, and avoids the further use of County time and resources in the defense of the case. He responded to questions and comments from the Board.

The Settlement was unanimously approved.

R.16 PROCLAMATION Recognizing Dave Houghton for his Service to Multnomah County, Oregon. Presenter: Chair Jeff Cogen and Invited Guests

Commissioner Shiprack moved and Commissioner Kafoury seconded approval of R-16.

Chair Cogen made opening remarks.

Joanne Fuller, Joe Partridge, Gary Oxman, Victoria Cross, and Amy Sullivan talked about his years of service and the contributions he has made to the organization throughout the years. The Chair and Commissioners commended Mr. Houghton for his years of dedicated service and thanked him for his great work. They thanked the presenters for attending and Ms. Fuller read the Proclamation into the record.

Proclamation No. 2012-080 was unanimously adopted.

R.17 Order Declaring Intent to Initiate Process to Explore Formation of a Multnomah County Library District and Setting a Public Hearing Date of July 31, 2012. Presenters: Vailey Oehlke, Library Director and Jenny Morf, County Attorney

Commissioner Kafoury moved and Commissioner Shiprack seconded approval of R-17.

Ms. Oehlke provided the explanation. Chapter IX, Library District, of the Multnomah County Home Rule Charter authorizes the Board of County Commissioners to initiate the formation of a library district. Adoption of an Order is the first step in a multi-step process necessary to obtain the voter approval to establish a library district as a municipal corporation and secure permanent and stable library funding. This Order sets a public hearing on this proposal for July 31, 2012, at 10:00 AM in the Board Room located at 501 SE Hawthorne Blvd, Portland Oregon 97214, and directs the Library Department to give notice required under Chapter IX of the Charter. If a Library District is approved by the voters and becomes operational, the Library will have permanent and stable funding and will be financially self-sufficient. The County's General Fund would not make annual contributions to the Library. Had the Library District existed in FY 2012, this would have saved the General Fund roughly \$14.4 million. These savings would have been offset by increased compression loss of at least \$5.9 million. In November 2010, the voters amended the Multnomah County Charter to authorize the Board

of County Commissioners to initiate the formation of a library district. Leaders of the Library Advisory Board, the Friends of the Library, and The Library Foundation have expressed strong support for creation of a library district. If the Board of County Commissioners refers a library district to the ballot, the voters will have the opportunity to vote on the creation of a library district with permanent and stable funding.

Opportunity was given for public testimony, but no one chose to testify.

Order No. 2012-089 was unanimously adopted.

BOARD COMMENT

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

No comments were made by the Board on non-agenda items.

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:20 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

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