

**Minutes of the Board of Commissioners
Multnomah Building, Board Room 100
501 SE Hawthorne Blvd. Portland, Oregon
Thursday, October 6, 2011**

REGULAR MEETING

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

Also attending were Jenny Morf, Acting County Attorney, and Marina Baker, Assistant Board Clerk.

CONSENT AGENDA

- C.1 Notice of Intent Safe Routes to School Planning Grant.
- C.2 ORDER No. 2011-120 Authorizing Designees of the Mental Health Program Director to Direct a Peace Officer to Take an Allegedly Mentally Ill Person into Custody.
- C.3 Consider Approving APPOINTMENT of Michael Lambert to the Multnomah County CITIZEN INVOLVEMENT COMMITTEE.
- C.4 Consider Approving APPOINTMENT of David Stokamer to the Multnomah County Environmental Health Food Service Advisory Committee.
- C.5 Consider Approving APPOINTMENTS of Basil Panaretos, Michael Mace, Sharon Cowley, Robert Heimbucher, Neal Galash, Robert Boyer, Toni Sunseri and David Threefoot to the 2011-2012 Board of Property Tax Appeals.
- C.6 Notice of Intent to Apply for a \$25,000 State Farm Community Development Grant.

Upon motion made by Vice-Chair Kafoury and seconded by Commissioner Shiprack, the consent calendar was unanimously approved.

PUBLIC COMMENT

No public testimony was given.

REGULAR AGENDA

- R.1 Informational Board Briefing on the DCJ Re-entry Enhancement Coordination (REC) Program and Research Highlights from the Preliminary Evaluation. Presenters: Scott Taylor, Director; Michelle Aguilar, Community Justice Manager; Rick Berman, Program Director, Volunteers of America (VOA); Devarshi Bajpai, Grant Program Manager, Criminal Justice Commission (CJC).**

Mr. Taylor provided the introductions and thanked the Board for their ongoing support for the REC program. DCJ was awarded \$951,883 in grant monies in FY 2010-2011 and anticipates the

grant will be renewed at the same level for FY 2013; Multnomah is one of four counties in Oregon awarded grant monies for this program. REC was designed to close gaps in services provided to those transitioning from prison to the community and continue substance abuse treatment services once offenders are released into the community.

Ms. Aguilar explained that the mission of this program is to reduce recidivism. They work in collaboration with partner programs in order to provide drug and alcohol treatments, employment assistance, housing, peer mentoring, etc. These organizations meet with parole officers on a weekly basis to discuss the progress of the clients and ensure that they are on-track with the guidelines of the grant. Participants in drug treatment programs are adult offenders with a medium or high risk to recidivate. Emphasis is placed on identifying treatment needs of these offenders and starting treatment prior to institutional release.

Mr. Berman stated that VOA's collaboration with the other partners is a daily activity and vital to the program's success. He explained that recovery for participants is not just about learning new skills, but creating a new self-identity and community of support. VOA takes a holistic approach to treating criminality, addiction, and mental and physical health on-site. They employ evidence-based practices and outcome-based practices using the A Collaborative Outcomes Resource Network (ACORN) tool, which is used in the County's mental health system. VOA has increased success rates by trying to schedule clients for their first appointment within 24 hours of their release from the institution.

Mr. Bajpai provided and reviewed REC's preliminary evaluation. He said that four counties are participating in this program which is focused on providing transitions services for inmates who have successfully completed residential or day addiction treatment programs while incarcerated, and who will benefit from assistance in securing housing, treatment, and employment after release. He discussed the results of their evaluation, which concludes the program has been successful in significantly reducing recidivism. He reviewed the evaluation of the cost benefit analysis of re-entry programs.

The presenters responded to Board questions and comments. The Board thanked them for their great work and briefing.

R.2 Notice of Intent (NOI) to Submit a Letter of Interest for the Department of Corrections Gender Specific Re-entry Services Pilot Project. Presenter: Kathleen Treb, Assistant Director, Employee Clinical Community Services.

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

Ms. Treb provided the explanation saying that this pilot is a program of re-entry and recovery services for young women, ages 18-30, who are returning to the County following incarceration. The program will be similar to the CPR services currently delivered to men. The proposed program will have the capacity to serve 30 women and their families. The project budget is \$276,278 per year for two years. She responded to questions and comments from the Board.

The NOI was unanimously approved.

R.3 Informational Board Briefing on Domestic Violence Intervention in Multnomah County. Presenters: Annie Neal, Domestic Violence Coordination Office; and Martha Strawn Morris, Director of Gateway Center for Domestic Violence Services.

Ms. Neal provided the introduction. She spoke about the impacts of domestic violence (DV) on physical and mental health for both children and adult victims, and risks to this population of becoming homeless. Multnomah County plays a significant role in DV intervention by providing one-third of the \$9 million in DV victim services funding for public safety, health and human services; contributing more than the City of Portland and State of Oregon.

Ms. Neal spoke about their new partners and innovations in DV services, such as the 211/Shelter Crisis Line Pilot Project; Domestic Violence Enhanced Response Team (DVERT); and Gateway Center for Domestic Violence Services. The 211 project currently provides six DV crisis lines and works to ensure live response to every crisis call. Ms. Neal explained that shelter space is limited to only 44 households. DVERT is a coordinated, multidisciplinary intervention team for high-risk, high-lethality cases. Their goals are to provide immediate support and safety after a DV incident and address these high-risk cases earlier.

Ms. Strawn-Morris provided an update on the first year of operations at the Gateway Center for Domestic Violence Services. Gateway provides community-based and criminal justice services, and civil legal assistance. Most referrals come from service providers, law enforcement, churches, schools, friends and family. It's an easily accessible and safe center with childcare provided on-site. In its first year, Gateway staff managed almost 7,000 visitors.

Ms. Strawn-Morris explained that Gateway works well because of their "navigators", which is what they call their victim advocates. All visitors first meet with a navigator, who provides them with safety planning, danger and needs assessment, and helps them access other services in the building and elsewhere. She read visitor testimonials.

The presenters responded to Board questions and comments. The Board thanked them for their presentation and hard work.

R.4 Approval of Multnomah County and the Multnomah County Employees Union, Local 88, AFSCME, AFL-CIO Local 88's Agreement for 2011-2014. Presenters: Blaise M. Lamphier, Labor Relations Manager; Steven Herron, Labor Relations Director; Michael Hanna, President of AFSCME Local 88; Bryan Lally, Business Representative of AFSCME Council 75.

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

Mr. Lamphier provided the introductions and listed highlights of this three-year agreement. The changes to the contract include specifics related to wages, employee classifications, and general language edits. He thanked the Board and other presenters for their hard work on this agreement.

Mr. Lally stated that he is encouraged by this contract and the overwhelmingly positive response it has received.

Mr. Hanna said he's honored that AFSCME and Multnomah County were able to work through any issues that arose during negotiations and reach an agreement that received a 95% approval rating from Local 88 members.

The Board thanked the presenters for their leadership in reaching this agreement.

The Agreement was unanimously approved.

R.5 BUDGET MODIFICATION NOND-03 Appropriating \$119,760 from the State of Oregon and Partners for Hunger Free Oregon to Support the Family Economic Security Project Outreach Efforts of the Commission on Children, Families & Community. Presenter: Joshua Todd, Director, CCFC.

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

Mr. Todd provided the explanation saying this project conducts outreach to low and moderate-income communities and helps enroll eligible children and families in benefit programs. One contract is with Healthy Kids through the State of Oregon and the other with Partners for a Hunger Free Oregon. This change will impact Program Offer 10008 Community Engagement and Plan Implementation. He responded to questions and comments from the Board.

BudMod NOND-03 was unanimously approved.

R.6 Board ORDER Rescinding Order #2010-129 and Authorizing Cancellation of the Comcast Tax Appeal Reserve Account. Presenters: Randy Walruff.

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

Mr. Walruff provided the explanation. The deferred billing credit is a better tool and replaces the reserve account approved under Order 2010-129. It prevents further accrual of interest on tax refunds should the taxpayer prevail. These funds will be released for use in issuing a deferred billing credit refund to Comcast. He responded to Board questions and comments.

Order No. 2011-121 was unanimously approved.

R.7 APPOINTMENTS of County Employees to the 2011 CHARITABLE GIVING CAMPAIGN MANAGEMENT COUNCIL. Presenters: Guillermo A. Maciel, Policy Advisor, Chair's Office, & Loren Hiatt, Health Department.

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

Messrs. Maciel and Hiatt provided the explanation. These employees will be department representatives for the CGCMC and this action is recommended in accordance with County code C. 9.62. They responded to Board questions and comments.

The appointments were unanimously approved.

R.8 Approval of 2011 Charitable Giving Campaign Participating Funds/Federations. Presenters: Guillermo A. Maciel; Tony Stroh, Children’s Trust Fund of Oregon; and Jenny Miller, United Way.

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

Mr. Maciel provided the introduction. Mr. Stroh thanked the Board on behalf of the Fund/Federations for the opportunity to approach Multnomah County employees to seek their assistance in supporting vulnerable members of the County. Ms. Miller gave a testimonial of someone who benefitted from services provided by United Way.

The presenters responded to Board questions and comments. The Board thanked them for their presentation.

The Fund/Federations were unanimously approved.

R.9 PROCLAMATION Proclaiming October 11, 2011, as National Coming Out Day in Multnomah County, Oregon. Presenters: Daryl Dixon, Multnomah County Chief Diversity and Equity Officer; Eric Zimmerman, Property Appraiser, Multnomah County Division of Assessment, Recording & Taxation and Captain, Army National Guard; Lucy Forsten, Co-Chair, PRISM; Giovanni McKenzie, Student, Grant High School; and other Invited Guests.

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

Commissioner Smith provided the introduction. Mr. McKenzie spoke about his reasons for proposing his “It Gets Better” video project, which he completed during his summer internship for Chair Cogen’s office. He found it reassuring how invested the entire Board was to making a difference in the lives of young people and thanked them for taking the time to participate in his video. He showed his “It Gets Better” video: <http://web.multco.us/news/video-board-tells-youth-it-gets-better>

Capt. Zimmerman spoke about his experience as an Iraq War veteran with the Oregon Army National Guard and the significance of the repeal of the Don’t Ask, Don’t Tell policy. He encouraged any leader, peer, and/or person of influence to be truthful and live as they are, as this will make a difference in a young person struggling to find normality and identity.

Ms. Forsten spoke about the history of National Coming Out Day. PRISM’s new Coming Out tradition for County employees is an initiative called “Volunteering Out”. This initiative focuses on building and supporting the community, and promoting the visibility of LGBTQ organizations and concerns.

Mr. Dixon told a personal story about his college roommate’s struggle with his sexual orientation. In honor of his friend, Mr. Dixon explained that he works every day to help create a society where no one has to live in secret and every person has the support and love to live an authentic life. He read the Proclamation into the record.

The Board thanked the presenters for speaking and Commissioner Smith for bringing this Proclamation before the Board.

Proclamation No. 2011-122 was unanimously approved.

Chair Cogen and Vice-Chair Kafoury were excused at 11:28 a.m. and Commissioner Shiprack conducted the meeting.

R.10 Supplemental Budget Modification #1 for Video Lottery Funds. Presenter: Mike Jaspin, Economist, Budget Office.

Commissioner McKeel moved and Commissioner Smith seconded approval of R.10.

Mr. Jaspin provided the explanation saying the County has historically recorded the funds in the General Fund. However, HB 3188, effective June 16, 2011, prohibits the funds from being recorded in the GF. It requires the funds to be accounted for in a dedicated fund. The law also requires an annual report of expenditures submitted to the Oregon Department of Administrative Services. This BudMod would move \$4,974,750 and this BudMod is required because a new fund is being created and appropriations into the new fund are increased by 10%. He responded to questions and comments from the Board.

Supplemental BudMod #1 was unanimously approved.

R.11 RESOLUTION Adopting an Updated Definition of the Various Funds to be Used in Fiscal Year 2012 and Repealing Resolution 2011-073. Presenter: Mike Jaspin.

Commissioner McKeel moved and Commissioner Smith seconded approval of R.11.

Mr. Jaspin provided the explanation. This new Resolution updates the fund structure, to reflect the separate fund for Video Lottery Revenues. He responded to questions and comments from the Board.

Resolution No. 2011-123 was unanimously approved.

R.12 Consideration to Approve the Public Stakeholder Committee's Recommendation by RESOLUTION for Sellwood Bridge Project - 60% Design Elements. Presenter: Ian Cannon, Sellwood Program Manager.

Commissioner McKeel moved and Commissioner Smith seconded approval of R.12.

Mr. Cannon provided the explanation, touching on the highlights of the Briefing provided to the Board on October 4, 2011. The funding plan is recommended by the Public Stakeholders Committee (PSC) who recognizes that the 60% project cost estimate is \$268.8 million and that this exceeds currently secured project funding by \$22.7 million. The PSC recommends that the Board direct staff to continue with project design based on the Project Elements listed above and look for additional resources to fully fund the project.

If the funding gap remains at approximately \$22.7 million in March of 2012, the PSC recommends that the Board adopt the Interim Interchange Strategy to reduce the current project cost to allow the project to move forward with construction.

If the funding gap is significantly different from \$22.7 million in March of 2012, the PSC recommends that the Board direct staff to reinvestigate the most appropriate strategy to close the funding gap and report back to the PSC so that the PSC can make a recommendation to the Board.

The PSC recommends that the Board direct staff to continue to look for ways to deliver the project as cost efficiently as possible and to report back to the PSC at the 90% design milestone about project progress, design, and finances. Mr. Cannon responded to questions and comments from the Board.

Resolution No. 2011-124 was unanimously approved.

R.13 Public Hearing & First Reading of an ORDINANCE Amending MCC Chapters 29 and 33-38 Relating to Fire Flow and Fire Apparatus Access, Temporary Health Hardship Dwelling, and Exclusive Farm Use Requirements. Presenters: Chuck Beasley, Senior Planner; Lisa Estrin, Planner, LUP; Jed Tomkins, Assistant County Attorney.

Commissioner McKeel moved and Commissioner Smith seconded approval of R.13.

Mr. Beasley said this Ordinance is being brought before the Board to hear and consider approving the amendments to Building Regulations Ch. 29 and Zoning Code Ch. 33-38 recommended by the Planning Commission.

Ms. Estrin explained that the changes to Fire Flow and Access can be found in sections 1, 2 and 8 of the proposed Ordinance. The benefits of these updates are that an applicant will only need to meet a single set of Fire Flow and Access standards for their proposed development. These revisions eliminate occasional conflicts between the County and fire service provider standards.

Ms. Estrin explained that the proposed amendments to the Health Hardship Dwellings are primarily located in sections 3 through 6 of the proposed Ordinance and intended to reduce the processing cost and time needed to permit temporary health hardship dwellings and expand the allowable dwelling type to include certain recreation vehicles. While the number of these permits issued is low, the changes will help the County better respond to citizens' needs that do arise. These changes also define related terms, consolidated related standards for all zones, and clarify standards.

Mr. Beasley explained the changes to Exclusive Farm Use Requirements and Religious Land Use and Institutionalized Persons Act. He said that the proposed Ordinance incorporates changes to the EFU zone district in sections 9 through 12 in conformance with amendments to state statutes pursuant to HB 3099 passed in 2009, and amendments to state administrative rules. Additionally, the proposed ordinance incorporates a second amendment to LCDC rule adopted to conform that rule to the RLUIPA.

Mr. Beasley explained that the process used by LUP staff in developing this Ordinance included working with County Council to ensure the Ordinance is consistent with State regulations and to advise the Planning Commission on matters raised during the hearings. Additionally, staff mailed the Ordinance, summary and hearing notice to all owners of EFU land in the County. The

Planning Commission conducted three public hearings and took testimony from those most impacted by the Ordinance.

As part of the Public Hearing, testimony was given and received for the record.

Mr. Beasley and Mr. Tomkins responded to Board questions and comments. The Board thanked them for their presentation.

The first reading was approved, the second reading is scheduled for Thursday, October 12, 2011.

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 12:13 p.m.

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