

**Minutes of the Board of Commissioners
Multnomah Building Room 635
501 SE Hawthorne Blvd. Portland, Oregon
Tuesday, November 27, 2012**

EXECUTIVE SESSION

ES.1 The Multnomah County Board of Commissioners will meet in Executive Session Pursuant to ORS 192.660(2) (d) & (h). Only representatives of the news media and designated staff are allowed to attend. Representatives of the news media and all other attendees are specifically directed not to disclose information that is the subject of the Executive Session. Final decisions are decided in public Board meetings. Contact: Jenny Morf, County Attorney. Presenter: Steve Herron.

Executive Session was held and adjourned at 9:50 a.m.

**Minutes of the Board of Commissioners
Multnomah Building, Board Room 100
Thursday, November 29, 2012**

REGULAR MEETING

Vice-Chair Loretta Smith called the meeting to order at 9:36 a.m. with Commissioners Deborah Kafoury, Judy Shiprack and Diane McKeel present. Chair Jeff Cogen was excused.

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

CONSENT AGENDA

- C.1 BUDGET MODIFICATION HD-13-06 Authorizing Nine Position Re-classifications within Various Divisions of the Health Department as Determined by the Class/Comp Unit of Central Human Resources.
- C.2 NOTICE OF INTENT to submit an application for \$10,000 to the Oregon Health Authority's Public Health Division, Performance Management Program's Local Public Health Authority Accreditation Readiness grant program.
- C.3 BUDGET MODIFICATION DCHS13-11 reclassifying a full-time Data Technician position to an Administrative Analyst in the Department of County Human Services.
- C.4 BUDGET MODIFICATION NonD-08 Reclassifying Program Specialist to a Program Specialist Senior in Emergency Management as determined by Central Human Resources Classification Compensation unit.
- C.5 RESOLUTION Authorizing the Private Sale of a Tax Foreclosed Property to William Crawford and Pinn S. Crawford.

- C.6 BUDGET MODIFICATION DCJ-04 Reclasses a 1.00 FTE Community Works Leader to a Program Coordinator in the Juvenile Services Division, as Determined by the Class/Comp Unit of Central Human Resources.
- C.7 BUDGET MODIFICATION DCJ-05 Reclasses a 1.00 FTE Juvenile Counselor to a Program Specialist Sr in the Juvenile Services Division, as Determined by the Class/Comp Unit of Central Human Resources.
- C.8 MCSO Transfer of Seized/Found Monies in the Amount of \$17,200.39 to the County.
- C.9 ORDER Authorizing Designees of the Mental Health Program Director to Direct a Peace Officer to Take an Allegedly Mentally Ill Person into Custody.

Upon motion made by Commissioner McKeel and seconded by Commissioner Kafoury, 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.

UNANIMOUS CONSENT

UC.1 PROCLAMATION Declaring December 1, 2012 as World AIDS Day in Multnomah County, Oregon. Sponsor: Commissioner Judy Shiprack, District 3. Presenters: Michael Anderson-Nathe, Director of Prevention & Education Services, Cascade AIDS Project; Kim Toevs, Multnomah County HIV/Hep C Manager.

Commissioner Shiprack requested that an item be considered under Unanimous Consent.

Vice-Chair Smith said that section 6L of Resolution No. 07-014 states that:

- A. The Board may act on an item not on the agenda notice if at least three Commissioners vote in favor of a motion to immediately consider the matter.
- B. For the matter to be adopted, all Commissioners present must vote in favor of the matter.

Vice-Chair Smith called for a motion to consider an item under Unanimous Consent. Commissioner McKeel moved and Commissioner Shiprack seconded approval to consider an item under Unanimous Consent. The motion passed unanimously.

The Board Clerk read the title into the record.

Vice-Chair Smith called for a motion to approve UC.1.

Commissioner McKeel moved and Commissioner Kafoury seconded approval of UC.1.

Commissioner Shiprack provided the introduction.

The presenters spoke about their organizations' efforts to increase HIV/AIDS awareness, raise money, fight prejudice and improve education. This year marks the 24th Annual World AIDS Day with the theme "Getting to Zero – One Person at a Time". With 33 million people infected world-wide by HIV and 1.1 million in the U.S., the goal of the campaign is to mobilize schools, faith-based organizations, businesses and community-based organizations to become involved in raising awareness, bolstering HIV prevention efforts and ensuring hope for those already infected.

The presenters responded to Board questions and comments.

Commissioner Shiprack read the Proclamation into the record.

Proclamation No. 2012-208 was unanimously adopted.

REGULAR AGENDA

R.1 RESOLUTION Authorizing the County Chair to Execute an Intergovernmental Agreement with Tri-Met and the City of Lake Oswego for the Sellwood Bridge Project. Presenters: Ian Cannon, Sellwood Bridge Program Mgr. & Ken Elliott, Asst. County Attorney.

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

Mr. Elliott provided the background information. Mr. Cannon explained that the County will pay the Willamette Shore Consortium \$434,271 for the net value of temporary construction easements, after offsetting the value of the Right-of-Way (ROW) improvements built at the County's expense, and will reimburse the City of Lake Oswego for potential trolley revenue lost during the project resulting from the ROW closure, additional maintenance costs incurred as results of the Project, and Tri-Met license fees.

Messrs. Elliott and Cannon responded to Board questions and comments.

Resolution No. 2012-197 was unanimously adopted.

R.2 ORDINANCE Amending County Land Use Code to Adopt Portland's Comprehensive Plan and Zoning Regulation Changes for the Citywide Tree and 122nd Avenue Projects and Declaring an Emergency. Presenter: Adam Barber, Land Use Planning.

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

Mr. Barber explained that the proposed Ordinance incorporates plan and zoning code changes from three City of Portland ordinances into the Multnomah County Code. Two of the City ordinances are intended to clarify the Citywide Tree Project regulations that were adopted by the City and County in April and May of 2011. The other ordinance amends the comprehensive plan and zoning map to implement the SE 122nd Avenue Rezone Project. The rezoning is intended to make the neighborhood a more convenient, healthy, walkable and vibrant place to

live and too much multifamily zoning and not enough commercial zoning to provide for a balanced neighborhood.

Mr. Barber responded to Board questions and comments.

A time for public testimony was announced, but no one chose to testify.

Ordinance No. 1195 was unanimously adopted by emergency.

R.3 BUDGET MODIFICATION DCA-05, Converting 1.0 FTE IT Trainer Position to Regular from Limited Duration. Presenters: Jane Williams, Technology Training Manager, & Tracey Massey, Senior IT Manager.

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

Ms. Williams stated that for the past three years, the Department of County Assets IT Division has been funding two positions that provide classroom training to assist employees to understand and use technologies, including Google, Moodle, Drupal, Microsoft Office, and many others. One of the Technology Training and Development Specialist positions is permanent and one is limited duration. As IT is anticipating a steady demand for technology training over the next few years, they are requesting that this second position be made permanent.

Ms. Massey explained that if approved, there will not be any fiscal impact in the current fiscal year, since the IT budget contains funding for a limited duration position for the full year. In the following years, funding for the position will be included in the IT rates.

The presenters responded to Board questions and comments.

BudMod DCA-05 was unanimously approved.

R.4 ORDER Declaring a Certain Tax Foreclosed Property R292937 Subject to Waste and Directing the Tax Collector to issue a Deed to the County. Presenters: Randy Walruff, Director, County Division of Assessment, Recording & Taxation (DART); Matt Ryan, Assistant County Attorney; & Sally Brown, Special Program Valuation Manager, DART.

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

Mr. Walruff explained that there are ten properties before the Board today under the same process. He said the County issued written Notice dated June 13, 2012, to the owner and interested parties, as required under ORS 312.125, advising the expiration of the redemption period for tax foreclosed property R292937. This Notice explained that the property has been foreclosed for delinquent taxes by a proper judgment in the Circuit Court entered on September 21, 2011. Unless the property is redeemed by September 20, 2013, it will be deeded to the County. On June 29, 2012, a Notice of Hearing was sent to the owner and interested parties and stated that the County DART Director has determined that the property may suffer from waste or abandonment, and per ORS 312.122 and MCC 7.421-7.426, set the matter for a hearing on August 6, 2012 to determine whether the redemption period should be reduced. At the August hearing, the evidence presented by the County established that the improvements at

the property were deteriorated and that the owner had caused this deterioration by failing to address the cited conditions.

Mr. Walruff recommended to the Board that they should declare the property subject to waste; forfeit the owner's right of possession; and direct the Tax Collector to deed the property to the County after expiration of a period of 30 days if not sooner redeemed.

Messrs. Walruff and Ryan and Ms. Brown responded to Board questions and comments.

Order No. 2012-198 was unanimously adopted.

R.5 ORDER Declaring a Certain Tax Foreclosed Property R144175 Subject to Waste and Directing the Tax Collector to issue a Deed to the County. Presenters: Randy Walruff, Matt Ryan & Sally Brown.

Commissioner Kafoury moved and Commissioner McKeel seconded approval of R.5.

Mr. Walruff provided the explanation and responded to Board questions and comments.

Order No. 2012-199 was unanimously adopted.

R.6 ORDER Declaring a Certain Tax Foreclosed Property R190168 Subject to Waste and Directing the Tax Collector to issue a Deed to the County. Presenters: Randy Walruff, Matt Ryan & Sally Brown.

Commissioner Kafoury moved and Commissioner McKeel seconded approval of R.6.

Mr. Walruff provided the explanation and responded to Board questions and comments.

Order No. 2012-200 was unanimously adopted.

R.7 ORDER Declaring a Certain Tax Foreclosed Property R267179 Subject to Waste and Directing the Tax Collector to issue a Deed to the County. Presenters: Randy Walruff, Matt Ryan & Sally Brown.

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

Mr. Walruff provided the explanation and responded to Board questions and comments.

Order No. 2012-201 was unanimously adopted.

R.8 ORDER Declaring a Certain Tax Foreclosed Property R288399 Subject to Waste and Directing the Tax Collector to issue a Deed to the County. Presenters: Randy Walruff, Matt Ryan & Sally Brown.

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

Mr. Walruff provided the explanation and responded to Board questions and comments.

Order No. 2012-202 was unanimously adopted.

R.9 ORDER Declaring a Certain Tax Foreclosed Property R296487 Subject to Waste and Directing the Tax Collector to issue a Deed to the County. Presenters: Randy Walruff, Matt Ryan & Sally Brown.

Commissioner Shiprack moved and Commissioner Kafoury seconded approval of R.9.

Mr. Walruff provided the explanation and responded to Board questions and comments.

Order No. 2012-203 was unanimously adopted.

R.10 ORDER Declaring a Certain Tax Foreclosed Property R289698 Subject to Waste and Directing the Tax Collector to issue a Deed to the County. Presenters: Randy Walruff, Matt Ryan & Sally Brown.

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

Mr. Walruff provided the explanation and responded to Board questions and comments.

Order No. 2012-204 was unanimously adopted.

R.11 ORDER Declaring a Certain Tax Foreclosed Property R115687 Subject to Waste and Directing the Tax Collector to issue a Deed to the County. Presenters: Randy Walruff, Matt Ryan & Sally Brown.

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

Mr. Walruff provided the explanation and responded to Board questions and comments.

Order No. 2012-205 was unanimously adopted.

R.12 ORDER Declaring a Certain Tax Foreclosed Property R180190 Subject to Waste and Directing the Tax Collector to issue a Deed to the County. Presenters: Randy Walruff, Matt Ryan & Sally Brown.

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

Mr. Walruff provided the explanation and responded to Board questions and comments.

Order No. 2012-206 was unanimously adopted.

R.13 ORDER Declaring a Certain Tax Foreclosed Property R144815 Subject to Waste and Ordering the Tax Collector to issue a Deed to the County. Presenters: Randy Walruff, Matt Ryan & Sally Brown.

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

Mr. Walruff provided the explanation and responded to Board questions and comments. He said this was the last of the properties before the Board today under these tax foreclosure criteria.

Order No. 2012-207 was unanimously adopted.

R.14 FY 2013 Supplemental Budget Modification #1 to Appropriate Beginning Working Capital and Adjust Various Other Funds. Presenter: Christian Elkin, Budget Analyst & Julie Neburka, Budget Analyst.

Commissioner McKeel moved and Commissioner Kafoury seconded approval of R.14.

Ms. Elkin explained that a supplemental budget is allowed by ORS Chapter 294 for the Board to address changes in financial conditions not anticipated at the time the budget was adopted. This supplemental budget adds beginning working capital (BWC) to six County funds. The FY 2013 budget included an estimated BWC, but there was a difference between the amount that was budgeted and the amount remaining at year-end. The total BWC being added is \$3.48M and will be spent on the following services:

- \$490k for IT in DCA to finish the telephone replacement project;
- \$680k for Facilities in DCA for the Eastside Streetcar assessment (\$380k) and funding for a contract with a local environmental engineering firm to help the County obtain LEED-ED Silver certification for six County buildings (\$300k);
- \$314,717 for DCHS' weatherization for single and multi-family buildings;
- \$181,881 to HD to be used to pay claims for services provided from the Multicare Dental program prior to August 1, 2012;
- \$1,437,547 to HD for Electronic Dental Records implementation; and,
- \$376,704 to MCSO, DCHS, HD and DCM for various other services and programs.

Ms. Elkin stated that this supplemental budget also adjusts various funds to ensure compliance with the Oregon Budget Law and aligns the budget with actual revenues and expenditures.

Ms. Elkin, Ms. Neburka and representatives from affected County departments responded to Board questions, comments and concerns.

The Board expressed concern that they didn't feel they had enough information about the LEED-ED Silver certification (\$300k) to make a decision today.

Commissioner Kafoury requested that the portion requesting \$300k toward LEED-ED Silver certification for six County buildings be removed from the supplementary budget and reviewed at a later Board meeting.

Vice-Chair Smith asked for a motion to amend the supplementary budget.

Commissioner Shiprack moved and Commissioner Kafoury seconded the proposed amendment to the supplementary budget. It was unanimously approved.

Supplementary Budget Modification #1 was unanimously adopted as amended.

R.15 BUDGET MODIFICATION: DCHS-13-05 - Increasing Community Services Division Federal/State Appropriation by \$150,505 for Services for Homeless Families. Presenter: Mary Li, Community Services Div. Mgr.

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

Ms. Li explained that, if approved, this BudMod will increase the Community Services Division FY 2013 budget to recognize \$8,334 from the City of Portland and \$8,334 from Home Forward for the 10-Year Plan to End Homelessness. This BudMod also recognizes \$133,837 from a new Emergency Solution Grant, which will be split between two programs. The grant will provide \$102,889 to the Homeless Families' Shelter and Emergency Services system and \$30,948 to the Housing Stabilization for Vulnerable Populations System.

Ms. Li responded to Board questions and comments.

BudMod DCHS-13-05 was unanimously approved.

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 11:13 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