

**ANNOTATED AGENDA FOR THE
MEETINGS OF THE
BOARD OF COMMISSIONERS**

Tuesday, October 20, 2009 - 9:00 AM

Multnomah Building, Sixth Floor Commissioners Conference Room 635
501 SE Hawthorne Boulevard, Portland

EXECUTIVE SESSION

Chair Ted Wheeler convened the meeting at 9:02 a.m. with Commissioners Jeff Cogen, Deborah Kafoury and Diane McKeel present, and Vice-Chair Judy Shiprack arriving at 9:10 a.m.

E-1 The Multnomah County Board of Commissioners will meet in Executive Session pursuant to ORS 192.660(2) (d)(e) and/or (h). Only representatives of the news media and designated staff may attend. 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. Presented by County Attorney Agnes Sowle.

EXECUTIVE SESSION HELD.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:31 a.m.

Tuesday, October 20, 2009 - 10:00 AM

Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

WORK SESSION

Chair Ted Wheeler convened the meeting at 10:05 a.m. with Vice-Chair Judy Shiprack and Commissioners Jeff Cogen, Deborah Kafoury and Diane McKeel present.

WS-1 Work Session to Consider the Countywide Impacts to our Public Safety System of State Funding Adjustments in the 2009-2011 Biennium and Additional Revenue Issues in Fiscal Year 2010. Presenters: Peter Ozanne, Doug Bray, Michael Schrunk, Sheriff Bob Skipper, Larry Aab & Scott Taylor.

CHAIR WHEELER, LOCAL PUBLIC SAFETY COORDINATING COUNCIL
EXECUTIVE DIRECTOR PETER OZANNE, BUDGET DIRECTOR KARYNE KIETA,
DISTRICT ATTORNEY MICHAEL SCHRUNK, TRIAL COURT ADMINISTRATOR

DOUG BRAY LARRY AAB MCSO SHERIFF BOB SKIPPER DEPARTMENT OF COMMUNITY JUSTICE DIRECTOR SCOTT TAYLOR PRESENTATIONS AND RESPONSE TO BOARD QUESTIONS AND COMMENTS REGARDING ISSUES INCLUDING BUDGET SHORTFALLS; OPTIONS SUCH AS TAKING MONEY FROM OTHER PROGRAMS FOR PUBLIC SAFETY OR USE CONTINGENCY FUNDS IN 2010 INSTEAD OF 2011; STATE REVENUES; ASSUMPTIONS, SPECIAL ELECTION COSTS FOR SHERIFF'S POSITION; DRUG COURT TREATMENT FUNDING; SENTENCING PRACTICES; IMPACTS OF HOUSE BILLS 3508 AND 2287; COURT DEFICITS EXPECTED DUE TO STATE JUDICIAL FUNDING CUTS; OPEN BOOKING; DOMESTIC VIOLENCE PROGRAMS; MENTAL HEALTH COURT; JAILS; SANCTIONS, COMMUNITY SUPERVISION; US MARSHAL BEDS; MCSO FUNDING OF EAST COUNTY SERVICES WHICH WERE CUT DURING THE BOARD'S BUDGET ADOPTION PROCESS AND RE-ESTABLISHED BY MCSO USING MCSO SAVINGS FROM UNUSED SICK LEAVE; INCIDENT AT INVERNESS USING CERT TEAM; NEED TO PROVIDE ADDITIONAL TRAINING; 1145 AND MEASURE 37 . A ONE HOUR PUBLIC SAFETY WORK SESSION TO BE SCHEDULED.

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:55 a.m.

Thursday, October 22, 2009 - 9:15 AM

Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

REGULAR MEETING

Chair Ted Wheeler convened the meeting at 9:15 a.m. with Commissioners Jeff Cogen and Diane McKeel present, Commissioner Deborah Kafoury arriving at 9:16 a.m. and Vice-Chair Judy Shiprack arriving at 9:19 a.m.

CONSENT CALENDAR

UPON MOTION OF COMMISSIONER COGEN, SECONDED BY COMMISSIONER MCKEEL, THE CONSENT CALENDAR WAS UNANIMOUSLY APPROVED. [3-0]

- C-1 Appointment of Joe McFeron and Amanda Romero to Multnomah County VECTOR CONTROL AND ENFORCEMENT ADVISORY COMMITTEE
- C-2 BUDGET MODIFICATION DCJ-08 Reclassifying a Finance Specialist 1 in the Business Services Division, as Determined by the Class/Comp Unit of Central Human Resources

- C-3 BUDGET MODIFICATION DCM-05 Reclassifying One Position in the DCM Human Resources Division, as Determined by the Class/Comp Unit of Central Human Resources
- C-4 BUDGET MODIFICATION DCM-06, Reclassifying Three Positions in the Division of Assessment, Recording, and Taxation, as Determined by the Class/Comp Unit of Central Human Resources
- C-5 BUDGET MODIFICATION DCM-07 Reclassifying a Finance Technician to a Finance Specialist 1 in FREDS as Determined by the Class/Comp Unit of Central Human Resources
- C-6 Amendment 2 to Intergovernmental Expenditure Agreement 4600007218 with the Housing Authority of Portland to Reduce State of Oregon, Oregon Housing and Community Services' Low-Income Rental Housing Fund Award for the Current Fiscal Year.

PUBLIC COMMENT

Public comment was given and received for the record.

REGULAR AGENDA

- R-1 RESOLUTION Authorizing the County to Make an Internal Loan from the Risk Management Fund to the General Fund of Not More than \$17,500,000 to Provide for Short-Term Cash Flow Requirements**

COMMISSIONER COGEN MOVED AND COMMISSIONER MCKEEL SECONDED, APPROVAL OF R-1.

Commissioner Kafoury arrived at 9:16 a.m.

FINANCE AND RISK MANAGEMENT PROGRAM MANAGER 2 MARK CAMPBELL EXPLANATION.

RESOLUTION 09-128 UNANIMOUSLY ADOPTED. [4-0]

- R-2 Reallocation of Facilities Capital Project Funds FPM 10-01, Justice Center Jail Shower Repair Project (CP08.08.62) and Multnomah County Inverness Jail Dorm Shower Improvements Project (CP08.09.45)**

COMMISSIONER MCKEEL MOVED AND COMMISSIONER COGEN SECONDED, APPROVAL OF R-2.

Commissioner Shiprack arrived at 9:20 a.m.

JOHN LINDENTHAL EXPLANATION AND RESPONSE TO CHAIR WHEELER AND VICE-CHAIR SHIPRACK QUESTIONS AND COMMENTS REGARDING WHETHER A MOISTURE BARRIER WAS PUT IN, THE NEED FOR DOING PROJECTS TO SPECIFICATIONS, THIRD PARTY INSPECTIONS AND THE NEED FOR COUNTY OWNERS TO BE MORE VIGILANT.

REALLOCATION UNANIMOUSLY APPROVED. [5-0]

R-3 BUDGET MODIFICATION DCJ-04 Reducing One Full-Time AFSCME Local-88 Position and Restoring the Services through an Intergovernmental Agreement with Multnomah Education Service District

COMMISSIONER COGEN MOVED AND COMMISSIONER KAFOURY SECONDED, APPROVAL OF R-3.

ROB HALVERSON EXPLANATION, ADVISING THE ELIMINATION OF ONE FULL-TIME BASIC SKILLS EDUCATOR POSITION IN THE JUVENILE GOALS PROGRAM WILL ALLOW THE DEPARTMENT TO ENTER INTO AN AGREEMENT WITH MULTNOMAH EDUCATION SERVICE DISTRICT FOR SERVICES FOR ONE YEAR BEGINNING NOVEMBER 1, 2009. MR. HALVERSON ADVISED THAT DURING THIS FIRST YEAR THE DEPARTMENT AND MULTNOMAH EDUCATION SERVICE DISTRICT WILL PURSUE AGREEMENTS WITH LOCAL SCHOOL DISTRICTS TO PASS STATE FUNDS TO THE DISTRICT IN ORDER TO FUND THE DISTRICT FOR EDUCATION SERVICES TO YOUTH ASSIGNED TO THE DAY REPORTING CENTER. MR. HALVERSON ADVISED IT IS ANTICIPATED THESE AGREEMENTS WILL BECOME SELF-FUNDING THROUGH AVERAGE DAILY MEMBERSHIP DOLLARS FROM THE STATE.

CHAIR WHEELER AND COMMISSIONER KAFOURY EXTENDED THEIR THANKS.

BUDGET MODIFICATION UNANIMOUSLY APPROVED. [5-0]

R-4 Second Reading and Possible Adoption of an ORDINANCE Amending Multnomah County Code Chapter 21.406, Ambulance Staffing

COMMISSIONER MCKEEL MOVED AND COMMISSIONER COGEN SECONDED, APPROVAL OF THE SECOND READING AND ADOPTION.

BILL COLLINS, WITH DR. GARY OXMAN, PROVIDED A BRIEF EXPLANATION.

NO ONE WISHED TO TESTIFY.

ORDINANCE 1147 UNANIMOUSLY ADOPTED. [5-0]

R-5 First Reading of an ORDINANCE Amending the Multnomah County Flood Hazard Regulations to Adopt Updated Flood Insurance Rate Maps and to Incorporate Changes to the State's Model Flood Ordinance

COMMISSIONER SHIPRACK MOVED AND COMMISSIONER COGEN SECONDED, APPROVAL OF THE FIRST READING.

SENIOR PLANNER ADAM BARBER EXPLANATION, ADVISING MULTNOMAH COUNTY MUST SHOW EVIDENCE OF ADOPTING THE FLOOD INSURANCE RATE MAPS AND FLOOD INSURANCE STUDY BY DECEMBER , 2009 AS A CONDITION OF CONTINUED ELIGIBILITY IN THE NATIONAL FLOOD INSURANCE PROGRAM IN ADDITION TO THE ADOPTION OF FLOODPLAIN MANAGEMENT REGULATIONS THAT MEET THE STANDARDS OF THE NATIONAL FLOOD INSURANCE PROGRAM.

MR. BARBER ADVISED MANDATORY CHANGES TO THE REGULATIONS PROHIBITS NEW MANUFACTURED DWELLINGS IN THE REGULATORY FLOODWAY, UNLESS THE DWELLING IS REPLACING A LAWFULLY ESTABLISHED, EXISTING MANUFACTURED DWELLING; AND REQUIRES NEW MANUFACTURED DWELLINGS AND NEW STRUCTURES ACCESSORY TO MANUFACTURED DWELLINGS LOCATED ANYWHERE IN THE FLOODPLAIN TO BE ELEVATED 18-INCHES ABOVE THE FLOOD LEVEL AS OPPOSED TO THE CURRENT 12-INCH ELEVATION REQUIREMENT.

MR. BARBER ADVISED THE PROPOSED ORDINANCE CORRECTS DEFICIENCIES AND CHANGES; LIMITS REVIEW OF DEVELOPMENT WITHIN THE 1996-STORM INUNDATION AREAS TO LANDS INSIDE THE METRO JURISDICTIONAL BOUNDARY BECAUSE CURRENT CODE REQUIRES REVIEW COUNTYWIDE WHEN DEVELOPMENT IS PROPOSED IN AREAS INUNDATED IN 1996, WHICH EXCEEDS METRO TITLE 3 REQUIREMENTS AND RESULTS IN THE REGULATION OF LARGE PORTIONS OF SAUVIE ISLAND INSIDE THE FLOOD PROTECTION LEVEE. MR. BARBER REPORTED THE AMENDMENTS WERE DISCUSSED NUMEROUS TIMES DURING PUBLIC MEETINGS AND HEARINGS; AND ADVISED THE COUNTY'S PLANNING COMMISSION CAREFULLY CONSIDERED THIS ISSUE AND RECOMMENDS BOARD AMENDMENT OF THE PROPOSED ORDINANCE.

COMMISSIONER MCKEEL THANKED MR. BARBER FOR HIS WORK AND ASKED IF THERE WOULD BE ANY RISK OR DISRUPTION OF BUSINESS. MR. BARBER ADVISED NO BUSINESSES WOULD BE DISRUPTED; THAT ANY DISRUPTIONS WOULD BE TO MANUFACTURED HOME OWNERS WHO HAVE TO RAISE THEIR HOMES FROM 12" TO 18". MR. BARBER ADVISED THE FLOODPLAIN IS NOT IN A HIGH TRAFFIC AREA AND THERE ARE FEW DWELLINGS. MR. BARBER RESPONDED TO QUESTIONS OF CHAIR WHEELER AND COMMISSIONER SHIPRACK.

THE FIRST READING WAS UNANIMOUSLY APPROVED. THE SECOND READING IS THURSDAY, OCTOBER 29, 2009. [5-0]

R-6 ORDER Canceling Multnomah County Land Sale Contract No. 15784 for Default in Payments and Performance of Covenants

COMMISSIONER MCKEEL MOVED AND COMMISSIONER COGEN SECONDED, APPROVAL OF R-6.

ASSISTANT COUNTY ATTORNEY MATT RYAN, WITH DEPARTMENT OF COMMUNITY SERVICES PROGRAM MANAGER 2 JERRY ELLIOTT, ADVISED THE ATTORNEY FOR THE LAND SALE CONTRACT BUYERS REPORTED THAT THE BUYERS COULD NOT ATTEND TODAY'S BOARD MEETING AND ASKED FOR TIME TO PROVIDE ADDITIONAL INFORMATION. MR. RYAN ADVISED IT IS THE BOARD'S DECISION WHETHER TO PROCEED WITH THE CANCELATION OR RESCHEDULE THE MATTER.

COMMISSIONERS MCKEEL AND COGEN RESCINDED THEIR PREVIOUS MOTION AND SECOND AND UPON MOTION OF COMMISSIONER SHIPRACK, MOVED BY COMMISSIONER COGEN, THE RESOLUTION WAS UNANIMOUSLY POSTPONED TO THURSDAY, NOVEMBER 19, 2009. [5-0]

(Recess as the Board of County Commissioners and convene as the governing body for DUNTHORPE RIVERDALE SANITARY SERVICE DISTRICT NO. 1.)

R-7 RESOLUTION Authorizing Condemnation and Immediate Possession of Real Property Necessary for the Purpose of Constructing Improvements, on Behalf of the Dunthorpe-Riverdale Service District No.1, in Unincorporated Multnomah County

UPON MOTION OF COMMISSIONER SHIPRACK, SECONDED BY COMMISSIONER COGEN, R-7 WAS UNANIMOUSLY POSTPONED INDEFINITELY. [5-0]

(Adjourn as the governing body for Dunthorpe Riverdale Sanitary Service District No. 1 and reconvene as BOARD OF COUNTY COMMISSIONERS.)

The meeting was recessed at 9:50 a.m. and reconvened at 10:00 a.m.

R-8 Second Reading and Possible Adoption of an ORDINANCE Enacting the County Vehicle Registration Fee Increase for the Sellwood Bridge

COMMISSIONER SHIPRACK MOVED AND COMMISSIONER MCKEEL SECONDED, APPROVAL OF THE SECOND READING AND ADOPTION.

KAREN SCHILLING RESPONSE TO QUESTION OF COMMISSIONER KAFOURY REGARDING TRAVEL STUDIES AND DIFFICULT IT IS TO SAY THAT ALL 75% ARE CLACKAMAS RESIDENTS.

CHAIR WHEELER STATED IT DIDN'T MATTER IF CLACKAMAS COUNTY RESIDENTS ARE COMING INTO MULTNOMAH COUNTY TO SHOP, EAT, WORK, IT WILL ALL BENEFIT

JOSEPH NORLING, OWNER OF OAKS PARK, TESTIFIED IN SUPPORT. IN RESPONSE, COMMISSIONER KAFOURY STATED HER FAMILY LOVES OAKS PARK. CHAIR WHEELER THANKED MR. NORLING FOR LETTING THE COUNTY STAGE ON HIS PROPERTY.

RICHARD KOENIG TESTIMONY REGARDING INFRASTRUCTURE PROJECTS AND DRAFTING RULE AND REFERRED THE BOARD TO CONTACT IN SALEM.

ORDINANCE 1148 UNANIMOUSLY ADOPTED. [5-0]

R-9 RESOLUTION Approving an Intergovernmental Agreement and Lease with the City of Portland for a Portion of the Gateway Children's Center Building for a One-Stop Domestic Violence Service Center

COMMISSIONER MCKEEL MOVED AND COMMISSIONER COGEN SECONDED, APPROVAL OF R-9.

COMMISSIONER COGEN; MARTHA, CHIQUITA ROLLINS AND EXPLANATION AND COMMENTS IN SUPPORT

COMMISSIONER MCKEEL COMMISSIONER KAFOURY, CHAIR WHEELER COMMISSIONER COGEN COMMISSIONER SHIPRACK

RESOLUTION 09-130 UNANIMOUSLY ADOPTED. [5-0]

CHAIR WHEELER ACKNOWLEDGED AND GREETED FORMER COMMISSIONER MARIA ROJO DE STEFFEY IN THE AUDIENCE TODAY.

The meeting was recessed at 10:23 a.m. and reconvened at 10:30 a.m.

R-10 Public Hearing and Board Appointment via RESOLUTION Filling a Vacancy in the Legislative Assembly, Oregon State Representative, District 43 from Democratic Precinct Committee Approved Nominees Karol Collymore, Lew Frederick and Ed Lincoln, Created by the Resignation of Chip Shields

COMMISSIONER COGEN MOVED AND COMMISSIONER KAFOURY SECONDED, APPROVAL OF R-10.

CHAIR WHEELER EXPLAINED THE PROCESS, ADVISING THAT DURING THE BREAK THE NOMINEES DREW LOTS AND EDDIE LINCOLN WILL GO FIRST THEN KAROL COLLYMORE AND LEW FREDERICK. CHAIR WHEELER ADVISED THE NOMINEES WILL MAKE A SHORT STATEMENT AND AFTERWARDS THEY WILL BE ASKED THE SAME QUESTIONS, THEY WILL HAVE FIVE MINUTES EACH, AND THEY MAY CHOOSE TO PASS ON ANY QUESTION. CHAIR WHEELER REPORTED THE QUESTIONS WERE CHOSEN FROM THOSE SUBMITTED BY THE PUBLIC.

EDDIE LINCOLN

KAROL COLLYMORE

LEW FREDERICK

CHAIR WHEELER QUESTION TO EDDY LINCOLN, MR. LINCOLN, MS. COLLYMORE AND MR. FREDERICK RESPONSE.

COMMISSIONER KAFOURY QUESTION TO KAROL COLLYMORE, MS. COLLYMORE.

RESOLUTION 09-131 APPOINTING LEW FREDERICKS TO FILL THE VACANCY IN THE LEGISLATIVE ASSEMBLY, OREGON STATE REPRESENTATIVE, DISTRICT 43, UNANIMOUSLY ADOPTED. [5-0]

MR. FREDERICK STATED THAT HE KNOWS HIS DISTRICT; THAT HE IS QUITE OVERWHELMED; AND THAT WE ALL HAVE A LOT OF WORK TO DO.

BOARD COMMENT

No board comments were made.

ADJOURNMENT

There being no further business, the meeting was adjourned at 12:06 p.m.

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