

**Minutes of the Board of Commissioners
Multnomah Building, Board Room 100
501 SE Hawthorne Blvd., Portland, Oregon
Thursday, March 22, 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 and Diane McKeel present.

Also attending were Jenny M. Morf, County Attorney, and Lynda J. Grow, Board Clerk.

CONSENT AGENDA

C.1 Transfer of Unclaimed Property in the Amount of \$28,039.00 to the County.

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

PUBLIC COMMENT

PC.1 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 Consenting to Chair Appointment of Jenny M. Morf as Chief Legal Officer of Multnomah County and Director of the Office of County Attorney. Presenter: Chair Jeff Cogen.

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

Chair Cogen gave remarks on his work with Ms. Morf over recent months. He praised her for her tremendous management leadership and legal skills.

Ms. Morf thanked the Board for letting her be Acting County Attorney over the last six months and said it is her 21st year with the County. She thanked them for this opportunity to serve as the County's Chief Legal Officer.

Resolution No. 2012-029 was unanimously adopted.

R.2 Public Hearing and First Reading of Ordinance Amending MCC 3.361 Membership of the Vector Control and Enforcement Advisory Committee. Presenter: Ben Duncan, Sr. Program Specialist & Bernadette Nunley, Assistant County Attorney.

Commissioner Shiprack moved and Commissioner Kafoury seconded, approval of the first reading.

Mr. Duncan said the mission of the Vector Control Advisory Committee is to promote community livability by managing vector-borne diseases through surveillance, suppression of vector populations and code enforcement to maintain and support those actions. The Committee advises, evaluates and provides information to the community. This Amendment supports the Committee by ensuring participation from diverse stakeholders who represent the myriad perspectives of community issues and provides flexibility in regards to recruitment and retention. He responded to questions and comments from the Board.

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

The first reading was unanimously approved, and the second reading is Thursday, March 29, 2012.

R.3 Authorizing the County Attorney to Join in a Friend of the Court Brief in State of Arizona vs. United States of America. Presenter: Jenny M. Morf, County Attorney.

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

Ms. Morf provided the explanation. She said the County of Santa Clara, California asked that Multnomah County join in a US Supreme Court "Friend of the Court" or *Amici Brief*, filed on behalf of local governments throughout the US opposing the Arizona Senate Bill on immigration which requires local law enforcement to investigate immigration status, detain all arrestees until immigration status is verified, and take other actions with respect to unauthorized aliens. If the Supreme Court upholds this, it will impact the Sheriff's office and their activities and expenditures of local funds. She responded to questions and comments from the Board.

The Authorization was unanimously approved.

R.4 BUDGET MODIFICATION Non-D-09 Requesting General Fund Contingency Transfer of \$75,000 to Fund Efforts of the Rosewood Initiative. Sponsor: Commissioner McKeel, D-4 Presenters: Shea Marshman, Board Member, The Rosewood Initiative; Thompson Morrison, Board Member, The Rosewood Initiative; and Rex Hollingsworth Jr., Owner, Rex's Heating and Air Conditioning.

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

Commissioner McKeel made introductions, acknowledged all the people that came to the meeting, and gave opening remarks. She said today's request is to approve Budget Modification NOND-09 transferring \$75,000 from general fund contingency to the Department of County Human Services (DCHS) to fund activities of the Rosewood Initiative.

The Rosewood Initiative is working through partnerships with Portland Police, Gresham Police, Multnomah County Parole and Probation, the faith community, business owners, residents and other interested parties to improve the neighborhood surrounding the intersection of 162nd and Burnside. This area has long been plagued with high crime rates and few opportunities for residents. Multnomah County's investment of \$50,000 will be matched by donations from the business community and the Portland Police. The funding will be used to build out the community meeting space used as a hub for community building by the organization. The

additional investment of \$25,000 will be used as bridge funding for operations until grant funding and City of Portland dollars become available. They are planning activities to engage youth, families, and the community in the Rosewood Cafe.

Ms. Marshman thanked the Commissioners, and those who came to give testimony today and said she was representing the community as a volunteer member of the Board of Rosewood. She talked about Rosewood's goals to build community and create a safer neighborhood for the nearly 5,000 residents that live in the 15 block area around 162nd and Burnside. She discussed all the work the volunteers have done to create this community center, including demolition work and fund raising.

The Board then heard from the Invited Guests. Lt. John Scruggs talked about the 44 apartment buildings that mark the 10x15 blocks area. They have been identifying the problems, addressing the drug issues and are concerned for the safety of the community, particularly the kids. Mr. Hollingsworth talked about his air conditioning business and the changes in the community over the past 38 years. He said this Center has allowed them to regain community pride. Mr. Morrison talked about his software company and the cost of a broken community versus the costs to build and achieve a healthy community with these funds. The Rosewood Initiative works to create a stronger sense of partnerships by bringing together traditionally disenfranchised members of the community with established business, apartment owners, law enforcement, service providers and faith leaders.

Public testimony was taken at this time.

The Commissioners talked about the impressive work they have done and wonderful program they have created. Chair Cogen and Commissioners Kafoury and Shiprack talked about the budget restrictions and why they are opposed to supporting in favor of this contingency request. Commissioner McKeel thanked everyone for being there and what an inspiration Rosewood is and how she believes in the program.

Chair Cogen called the vote. The vote failed, 3 to 2.

R.5 Budget Modification MCSO-06 Requesting General Fund Contingency Transfer of \$641,000 to the Sheriff's Office for the Hiring and Training of Corrections Deputies. Presenter: Chief Deputy Drew Brosh.

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

Chief Deputy Brosh discussed the purpose of these funds and said they are requesting approval of BudMod MCSO-06 for FY 2012 general fund contingency in the amount of \$641,000 to hire, equip, and train 20 corrections deputies to fill vacant positions and reduce the overall amount of overtime used in the Corrections Division. The Sheriff's Office has also submitted a one-time-only program offer for 2013 to complete this hiring effort (up to 10 over and above standard hiring plans at \$239,000) which will achieve an optimal cost-effective hiring point. He said they have implemented measures to reduce overtime to balance the current situation.

Commissioner Kafoury said she appreciated the discussion around this item with him and with the Sheriff. She made a motion proposing an amendment as follows:

1. *Amend BudMod MCSO-06 Contingency Request to change the amount to \$399,000.*
2. *Request the Sheriff's Office come back at the end of April to report to the Board at a regularly scheduled Board meeting how these dollars were spent, prior to requesting any additional general fund contingency.*
3. *The Board would like that presentation to include:*
 - *How the \$399,000 was spent (budget vs. actual)*
 - *Number of corrections deputies hired by month with this funding*
 - *Number of correction deputy vacancies remaining*
 - *Number of retirements by month since July 1,2011*
 - *Overtime spending of both corrections and law enforcement, broken down by division and by facility (by month, fiscal year-to-date)*
 - *Current Year Estimate and Projected Year-end General Fund Spending vs. Budget*
4. *If goals are being met, the Board will approve the next month's expenses and require the same process each month for the remainder of the fiscal year.*

Commissioner Shiprack seconded the motion but asked for clarification on the number of reports between now and the end of the fiscal year. It was the consensus of the Board to receive *two reports*, with the first in April, and the second before the end of the fiscal year.

Commissioner Shiprack stated that she also met with the Sheriff and discussed the package with amendments and appreciated that they have a positive partnership between the Commissioners and Sherriff's office. She made a motion proposing the following amendment:

The release of the May and June sums is also contingent upon the Sheriff applying for and receiving the National Institute of Corrections (NIC) Technical Assistance Grant. The NIC Technical Assistance Program responds directly to the needs, problems, and individual requirements of state and local correctional agencies. The program provides technical resources to agency management, operations and programming.

Commissioner Kafoury seconded the motion.

Chief Deputy Brosh clarified that the amendment is specific to May and June release of funds and does not affect the current amendment.

Commissioner Kafoury suggested a word change from "*applying for and receiving*" to "*apply for*" the Grant. Commissioner Shiprack accepted this friendly amendment.

County Attorney Morf said a motion would be needed to amend Commissioner Shiprack's amendment to strike "*for and receiving*." Commissioner Kafoury moved and Commissioner Shiprack seconded, the motion by Commissioner Kafoury to strike the words "*for and receiving*" from the amendment.

Discussion ensued regarding the timing of the application and manpower needed to prepare these reports.

Chair Cogen called the vote. It was voted, with one opposed, to approve the change to the amendment moved by Commissioner Kafoury.

Chair Cogen called the vote to consider Commissioner Shiprack's amended amendment. It was voted, with one opposed, to approve the amended amendment.

Discussion ensued around the reports requested and benchmarks to be met.

BudMod MCSO-06 was unanimously approved as amended.

R.6 Budget Modification MCSO-07 Appropriating \$208,535 from the East Metro Gang Enforcement Task Force (EMGET) Grant from the Oregon State Youth Authority. Presenters: Chief Deputy Jason Gates & Chief Deputy Drew Brosh.

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

Chief Deputy Gates said the reason for this BudMod is to reduce the impact of criminal street gangs in East County through law enforcement presence, operational strategies and tactics, and to conduct a thorough coordinated approach designed to enhance community livability. He said that due to the late timing of the grant award, this was not part of the Fiscal Year 2012 Adopted budget. This was an "Out of Target" Program Offer, #60084 MCSO Gang Task Force, which is a multi-disciplinary task force including the Cities of Gresham, Fairview, Troutdale, and Multnomah County.

Commissioner McKeel said that Troutdale is listed but they do not have a member on the task force at present, so they are not participating at this time.

BudMod MCSO-07 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 11:22 a.m.

The minutes reflect the actions of the Board. For more detail, you are welcome to view the presentation materials 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, Oregon