

**Minutes of the Board of Commissioners
Multnomah Building, Board Room 100
501 SE Hawthorne Blvd., Portland, Oregon
Thursday, December 6, 2012**

REGULAR MEETING

Chair Jeff Cogen called the meeting to order at 9:33 a.m. with Vice-Chair Loretta Smith and Commissioners Deborah Kafoury, Judy Shiprack and Diane McKeel present.

Also present were Jenny Morf, County Attorney and Lynda Grow, Board Clerk.

CONSENT AGENDA

- C.1 BUDGET MODIFICATION # DCJ-06 Reclasses a 1.00 FTE Vacant Administrative Specialist to an Administrative Specialist Non-Represented in the Juvenile Services Division, as Determined by the Class/Comp Unit of Central Human Resources.
- C.2 RESOLUTION No. 2012-209 Authorizing the Annual Designation of a Portion of Compensation as a Housing Allowance for Chaplains Serving Inmates and Employees of the Multnomah County Sheriff's Office.

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.

Opportunity for Public Comment was announced, however, no one chose to provide testimony.

REGULAR AGENDA

- R.1 **Briefing on Multnomah County Downtown Courthouse Community Outreach and Resolution Authorizing Partnership with the State of Oregon and Partnerships BC to Provide a Project Screening Report. Sponsors: Commissioners Deborah Kafoury, D-1 and Judy Shiprack, D-3. Presenters: Michael Bowers, Facilities & Property Management; Mike Pullen, Communications Office; and, Karen Williams, Carroll Community Investments, LLC.**

Vice Chair Smith moved and Commissioner Shiprack seconded approval of R-1.

Commissioner Shiprack made opening remarks and welcomed everyone for attending.

Judge Waller gave remarks about the importance, as a Judge and lawyer, of providing a safe place for jurors, families, judges, children who visit, employees and said the responsibility for a facility rests with the County, but the State also has responsibility. She provided the historical

background spanning decades and discussed the services they provide to Portland, Gresham, and all of Multnomah County.

Mr. Pullen showed the video which showed Mr. Crank giving a tour of all the problems with the existing courthouse building downtown.

Mr. Bowers reviewed the public meetings summary presentation covering community engagement through public meetings, online survey and video. Topics covered in the public meetings explained the relationship and responsibility of both State and County, the building problems and options for a future courthouse. He spoke about decision-making process, funding, renovation issues versus new build, and the challenges with both. Priorities were modern functions and operations; proximity to downtown; seismic safety; access to public transit; cost; time, historic preservation, and sustainability.

Commissioner Kafoury discussed the next steps for this project which includes an agreement with the State of Oregon and Partnerships BC to provide a project screening report and determine if the project is best implemented through traditional financing or performance-based partnerships.

Ms. Williams talked about the West Coast Infrastructure Exchange jointly created by Governor Kitzhaber and the States of Washington, California, and Province of British Columbia, Canada. Executive Oregon Order No. 12-17 which authorizes all future state funded infrastructure projects of \$20 million or more are to go through this screening process. It outlines the process for infrastructure planning and investment and engaged the services of Partnerships BC to build estate expertise in innovative infrastructure performance partnerships.

Ms. Williams said the first evaluation step is a screening report which will take 4-6 weeks and evaluate the Courthouse project against criteria that will help determine whether this project is a good candidate to be analyzed by the County for use of a performance-based, life-cycle contracting method that is designed to bring improved value. When that report is completed, it will be presented to the Board with their recommendations. The cost of the screening report is estimated at \$5,000 to \$7,000 and will be paid for by a grant.

The presenters responded to Board questions and comments.

Chair Cogen and the Commissioners thanked them for their presentation.

R.2. Briefing on East County Courthouse Project Completion. Sponsor: Commissioner Diane McKeel, D-4. Presenters: Sherry Swackhamer, DCA Director: Peggidy Coffman Yates, Strategic Projects Manager - FPM; Rodney Chin, IT; and, Steve Cruzen and Doug Obletz from Sheils Obletz Johnsen.

Chair Cogen welcomed everyone for attending. Commissioner McKeel made opening remarks.

Ms. Yates introduced Invited Guests and recognized the stakeholders involved in this project. Ms. Swackhamer gave the overview.

Mr. Oblatz addressed the objectives that set the stage for this project including identity, operations, longevity, sustainability and minority involvement.

Mr. Chin reviewed the Data Center goals and need for greater operating efficiencies and green technologies to be utilized and failsafe systems designed and built into the Center.

Ms. Yates reviewed the project challenges that they faced in this project, including maintaining their Architectural 2030 challenge and LEED gold certification; removal of drywells and concrete structures; addressing soil and groundwater contamination; expanded cooling system; modifications to the primary electrical feed; upgrade of generator and electric controls; integrating RACC artwork into the building design; and meet DAS requirements for emergency radio and cell phone operations.

Ms. Yates reviewed the project accomplishments, which were to: deliver the project on time and under budget; add three additional courtrooms; incorporate the data center; meet architectural 2030 challenge with geothermal system; submit for LEED gold certification; incorporate clean diesel program for off road vehicles; recycle 95% of deconstruction materials; installation of geothermal ground source heat pump; develop a plan that mitigates groundwater contamination and use heat recovery from the data center to heat the building and walkways; achieve a 33.65% MWESB participation; integrate public art into the building construction; incorporate solar a array on the roof; rainwater harvesting; storm water management; and consolidate three county operations including the termination of two leases and disposition of the Kelly Building. She responded to Board questions and comments.

The Board thanked staff for their tremendous work and for their outstanding presentation and innovative achievements on this project.

The Board recessed as the Multnomah County Board of Commissioners and convened as the Public Contract Review Board.

R.3 Approval by the Public Contract Review Board for an Alternative Contracting Process for an Energy Savings Performance Contract. Sponsor: Chair Jeff Cogen. Presenters: Peggidy Yates, Strategic Projects Manager; Eric Winn, Energy and Utility Specialist; Gerald E. Jelusich, Procurement Analyst Senior; and, Brian Smith.

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

Ms. Yates provided the reasons for their request. They are requesting approval of an alternative contracting method for an energy savings performance Contract in order to solicit services from an Energy Savings Corporation (ESCO) Staff have identified buildings with the specific target to reduce carbon emissions through energy conservation. ESCO helps organizations reach these goals by offering energy efficient solutions. Their services include an audit of current operations, a project proposal, project management services and financing options to help facilitate project implementation. Because an audit and project proposal takes place before a scope of work is developed, a performance contracting process is preferred when soliciting an ESCO. She said they are requesting the Board's approval so that Facilities can select an ESCO, have an audit performed, negotiate a scope of work, and develop a

project proposal for the Board's consideration. Costs for the audit and project proposal are estimated at \$68,000. She responded to questions and comments from the Board.

The request to consider an alternative contracting method was unanimously approved.

R.4 Reporting the Result of the Alternative Contracting Process for the East County Courthouse Construction to the Public Contracting Review Board. Sponsor: Commissioner Diane McKeel, D-4. Presenters: Peggidy Coffman Yates, Strategic Projects Manager - FPM; Brian R. Smith, Purchasing Manager; and, Steve Cruzen, Principal Shiels Obletz Johnsen.

Ms. Yates gave the post project evaluation. She said the Board reaffirmed the use of a GM/GC contracting methodology for the preconstruction and construction of the East County Courthouse on January 7, 2010. She gave the historical background and reported on the steps they took to ensure the process was in compliance, adding that the PCRB adhered to ORS 2779.015 and PCRB 49-0600 to 49-00690 and at all times adhered to the County's Mission, Values, and Vision.

She said the County advertised the Request for Proposal for the CMGC, established a Evaluation Committee to select the candidate based on specific criteria and awarded the contract to Howard S Wright. The CMGC was a vital member of the Project Team along with the Sheils Obletz Johnsen, Project Manager; LRS Architects, the Architect and Engineering and DCA's Facilities and Property Management and Information Technology. The use of a CMGC contracting methodology provided timely cost estimates and Value Engineering services. This was especially critical with the addition of a Data Center to the project during Design Development. During the project's Construction phase of the project, the CMGC was critical in making value engineering a fundamental exercise. As a result of the CMGC process, the East County Courthouse came in on time and on budget. She responded to Board questions and comments.

The Commissioners thanked her for her report.

The Board adjourned as the Public Contract Review Board and reconvened as Multnomah County Board of Commissioners.

R.5 BUDGET MODIFICATION # HD-13-07 – Request Approval to Appropriate \$47,025 in Revenue from the Oregon Health Authority HIV Prevention Technology Grant. Presenters: Kim Toevs, STD/HIV/HCV Program Manager and Loreen Nichols, Community Health Services Director.

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

Ms. Toevs provided the explanation. She said these funds will be used to grant to improve the health of populations disproportionately affected by HIV by recruiting hard-to-reach populations into HIV testing. These populations at risk do not regularly seek testing services or receive testing through primary care. Ms. Nichols added that the Grant may be extended another year, depending on the results. They responded to questions and comments from the Board.

BudMod HD-13-07 was unanimously approved.

**R.6 Informational Board Briefing on the FY 2014 General Fund 5-Year Forecast.
Presenter: Mike Jaspin.**

Chair Cogen welcomed everyone for attending and made opening remarks.

Mr. Jaspin gave the presentation. He said the purpose of a five-year financial forecast for the General Fund is for the Board to be able to assess the long-term financial implications of current and proposed policies and programs. He covered General Fund revenues and expenditures for FY 2014 through FY 2018; provided context for evaluating financial risk and for assessing the County's ability to sustain services in the future. He identified key variables that might change the level of revenues or expenditures.

He said the forecast continues to assume a sluggish recover with anemic to modest growth that will be protracted and uneven. He discussed the scheduled revenue increases of \$393 billion and spending reductions of \$98 billion. He discussed FY 2013 Revenues including growth, compression, and forecast figures versus what was forecast in the adopted budget. He covered the 5-year General Fund outlook and focused on significant changes from the May forecast; major revenue sources, expenditure assumptions; one-time-only programs; expenditure assumptions; the contingency update; Library District formation impact; and forecast risks and issues. He summarized general fund revenues, operating deficit, and general fund expenditures. He said he will return before the Board in March to give them another forecast briefing.

He responded to Board questions and comments.

Chair Cogen and the Commissioners thanked him for his presentation.

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 11:57 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, Oregon