

**Minutes for the Board of Commissioners  
Multnomah Building, Room 100  
501 SE Hawthorne Blvd., Portland, OR 97214  
Thursday, August 2, 2012**

**REGULAR MEETING**

Chair Jeff Cogen convened the meeting at 9:32 a.m. with Vice-Chair Diane McKeel and Commissioners Deborah Kafoury, Barbara Willer and Judy Shiprack present.

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

**CONSENT AGENDA**

- C.1 RESOLUTION NO. 2010-102 Authorizing the Private Sale of a Tax Foreclosed Property to William A. Coutant and Susan E. Kohler.
- C.2 RESOLUTION NO. 2010-103 Authorizing the Private Sale of a Tax Foreclosed Property to Rolland M. Hanson.
- C.3 BUDGET MODIFICATION NonD-05 Correcting the Classification of Two (2) Positions in the County Attorney's Office.
- C.4 Renewal of Metropolitan Interlibrary Exchange (MIX) Intergovernmental Agreement.
- C.5 MCSO Intergovernmental Non-Financial Agreement 5600000041 with the City of Gresham to Provide for Dispersal of Civil Forfeiture Proceeds.

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.

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

**REGULAR AGENDA**

- R.1 RESOLUTION Referring to the Voters a Ballot Measure to Approve Formation of a Multnomah County Library District with a Permanent Rate. Sponsor: Chair Jeff Cogen. Presenters: Vailey Oehlke, Library Director; Jenny Morf, County Attorney; and Marissa Madrigal, Chief of Staff, Chair Jeff Cogen's Office.**

Commissioner McKeel moved and Commissioner Kafoury seconded approval of R-1

Chair Cogen made the introductions and opening remarks saying the passage of this measure will provide for the formation of the Multnomah County Library District with a permanent rate at \$1.24 per \$1,000 assessed value.

Ms. Vailey said the Resolution before them today refers the measure to the voters asking them to consider formation of a Library District and as such, would be a municipal corporation with the authority to levy taxes at a permanent rate approved by the voters. She said in November 2010, Multnomah County voters gave the Board the authority under its charter to refer the formation of a library district to the voters. In May 2012, voters approved a three year extension of the \$.89 cent per \$1,000 assessed value levy.

Unlike the current system of funding, based on the local option levy, this rate is set into perpetuity and may not increase. The library would cease to be a department of Multnomah County and instead, become a taxing district overseen by the Board of County Commissioners, similar to how the Board oversees other service districts, like Dunthorpe-Riverdale. If the voters approve the Library District Measure, it would be effective July 1, 2013 and restore services, have the same boundaries, locations, materials and staff as before. She discussed the number of library districts in the State of Oregon. She gave an overview of the history of the Multnomah County library beginning in 1864 and how today, it is the second busiest public library system in the United States. She emphasized the importance of stable, permanent funding. She closed by thanking her staff, the Advisory Board, and all the library supporters for their help.

Ms. Madrigal said that in June 2012, the Board of County Commissioners initiated a community conversation on the future of library funding. She reviewed the responses received from the listening sessions held at five libraries; a public hearing on July 31<sup>st</sup>; responses to e-mails; and the over 20,000 respondents to the online survey. She stated that feedback was extremely positive and the majority of respondents preferred a library district. She summarized by saying that analysis determined that formation would allow for optimal long-range planning and mitigate growing problems in reduced funding due to property tax compression.

Opportunity was given for public testimony, but no one chose to testify.

The presenters responded to questions from the Board.

Board comments were made by all of the Commissioners. Each expressed their support of the Library District measure and affirmed they would be voting in favor of this Resolution.

Chair Cogen expressed his reservations about asking the voters to increase their taxes in a tough time and his concerns about the implications this will cause. However, the response from the community has been overwhelmingly in favor of creating a Library District and shows that the people in this community clearly value libraries. He warned everyone this is just the beginning and it will be a difficult campaign. Some people will distort what it means, and complicate the issues. However, he believes when a community comes together and expresses their deep and abiding passion for the value of the libraries, then a library district can be created and provide stable funding for the library.

The Chair and Commissioners thanked everyone for attending and for their support of this important issue. The Chair called the vote.

Resolution No. 2012-104 was unanimously adopted.

**R.2 NOTICE OF INTENT to Apply for a “Partnerships to Demonstrate the Effectiveness of Supportive Housing for Families in the Child Welfare System” Grant. Presenter: Mary Li, Manager, Community Services.**

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

Ms. Li provided the explanation. She said this Notice of Intent requests Board approval to submit a \$5 million grant application to the U.S. Department of Health & Human Services. This application is submitted in partnership with Home Forward and the Oregon Department of Human Services - Child Welfare and Work Systems, Inc. The grant application is due to be submitted by July 30, 2012. Due to short filing timelines, the department is requesting retroactive approval to apply. In the event that the Board does not approve this request, the program will withdraw from consideration.

This is a 5-year federal grant for up to \$1 million per year for the next five years to assist high-need families in the foster care system with housing and related services. The grant offers funds to develop or expand triage procedures for subsets of families in the child welfare system who have severe housing or service needs, provides supportive housing services, provides customized case management services include trauma-informed interventions and evidence-based mental health services and conducts evaluations of the outcomes of the grant. 60 households will participate in this project.

Ms. Li responded to questions and comments from the Board and acknowledged and thanked her staff and partners for making this grant application possible.

The NOI was unanimously approved.

**R.3 Authorizing Multnomah County’s Acceptance of Proposed Settlement Terms in White v. PERB. Presenter: Mark Campbell, Chief Finance Officer.**

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

Mr. Campbell provided the explanation saying that this case relates to issues associated with the Public Employee Retirement System (PERS). The case has its origins in another court case, *City of Eugene v. PERB*, as well as the PERS reforms enacted by the 2003 legislature.

The Supreme Court for Oregon issued an opinion in *White v. PERB* in December 2011. All issues in the case were decided in favor of the defendant except for one. At question was a \$61 million transfer that was made from the PERS contingency to the employer accounts of nine public employers. Multnomah County is one of those nine public employers. The issue was remanded to trial court to determine whether the transfer was a proper remedy. Legal counsel for both sides has reached a settlement agreement that will avoid further litigation over this issue.

The settlement will be reflected as a reduction to the earnings credited to employer accounts for the 2012 calendar year rather than a monetary settlement. PERS rates may be increased in future biennium as a result of the settlement, although staff believes that the impact will be negligible. He responded to questions and comments from the Board.

The Settlement was unanimously approved.

**R.4 Authorizing Settlement of *Elliott v. Staton, et al* United States District Court Case No. 11-cv-01536 ST. Presenter: Jenny Morf, County Attorney.**

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

Ms. Morf provided the explanation. She said this case is an employment related lawsuit by an employee of the Sheriff's Department alleging federal and state claims. The proposed settlement agreement includes the employee's early retirement, a lump sum payment of \$80,000 to the employee, and benefits related to early retirement. This settlement fully resolves the dispute between the parties. She responded to questions and comments from the Board.

The Settlement 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 10:24 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](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