

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

Tuesday, April 20, 2010 – 9:00 AM

Multnomah Building, Commissioners Conference Room 635
501 SE Hawthorne Blvd. Portland, Oregon

EXECUTIVE SESSION

Executive Session was not held as it was not needed.

Tuesday, April 20, 2010 – 9:30 AM

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

BOARD POLICY DISCUSSIONS

Chair Jeff Cogen called the meeting to order at 9:31 a.m. with Vice-Chair Diane McKeel and Commissioners Deborah Kafoury, Barbara Willer and Judy Shiprack present.

PD-1 Briefing Capital Financing Tools Available to Multnomah County. Sponsor: Commissioner Judy Shiprack. Presenter: Mark Campbell, Acting Director of Finance & Risk Management; and, Representatives from OFA

Chair Cogen welcomed everyone for attending. Commissioner Shiprack made opening remarks, introduced the presenters and explained the importance of reviewing the variety of capital financing tools available to the County.

Mr. Campbell reviewed Municipal Bonding Authority under ORS, 287.A.100, 150 and 315; Debt Instruments available including the types of Bonds, Full Faith and Credit Obligation Pledges used for capital projects; capital leases; and, conduit financing. He discussed Bond provisions; bank criteria; debt limits, current debt levels; debt management; and, interfund loans. He reviewed the County's Financial Policy Limit; Total Debt; Annual Debt Service; the number of years before these obligations are paid off; and current General Fund Revenues for FY 2010.

Mr. Campbell introduced the representatives from Oregon Facilities Authority (OFA) that attended today's meeting with him. They discussed how OFA facilitates issuance of tax-exempt conduit revenue bonds for nonprofits; accessing the tax-exempt bond market; their private placement programs, and associated costs. He reviewed "SNAP" Bonds (Small Nonprofit Accelerated Programs), a type of private placement bond and described how they work and the process for getting OFA financing.

Questions were answered and the Commissioners thanked them for their presentation.

PD-2 Briefing East County Court House Schematic Design, Direction and Next Steps. Presenters: Doug Obletz, Project Manager & Principal and Steve Cruzen, Principal & Project Manager, from Shields Obletz Johnsen; Paul Boundy, Project Manager & Principal of LRS Architects; Mark Campbell, Acting Director of Finance & Risk Management; John Lindenthal, Capital Improvement Program Manager; Peggidy Yates, Economic Development Policy Advisor.

Vice-Chair McKeel made the opening remarks and relayed the support and commitment from Gresham's City Commissioners. Chair Cogen acknowledged Presiding Circuit Court Judge Jean Maurer and Circuit Court Judge Alicia Fuchs, who attended to lend their support. Staff were introduced.

Ms. Yates updated the Commissioners and handed out the conceptual development cost estimate and project schedule. She outlined the services that will be offered in the new Court House; the costs from schematic design up to construction; and, the possible layouts offered through four options

Mr. Campbell spoke about the total cost of the court house, and required financing. He outlined his investigation at Chair Cogen's request, to evaluate interim options for retrofitting an existing building, but the analysis shows the cost is too prohibitive. He reviewed the four options and said they recommend the three-court room scenario. Next steps are that the Board will have to authorize the development costs, approve the mode of financing and in November, they will be asked to approve a bond sale. The second approval will be for the final design and start of construction in December, 2010 with completion in 2012.

Questions were answered, and the Commissioners thanked the Judges for attending and the staff for their comprehensive presentation.

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:24 am.

Thursday, April 22, 2010 - 9:30 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

REGULAR MEETING

Chair Jeff Cogen convened the meeting at 9:30 a.m. with Vice-Chair Diane McKeel and Commissioners Deborah Kafoury, Barbara Willer and Judy Shiprack present.

CONSENT CALENDAR

COMMISSIONER KAFOURY MOVED, AND VICE-CHAIR MCKEEL SECONDED, THE CONSENT CALENDAR WAS UNANIMOUSLY APPROVED.

C-1 RESOLUTION 2010-045 Authorizing the Private Sale of a Tax Foreclosed Property to ROMAN MAGAC.

REGULAR AGENDA
PUBLIC COMMENT

No public testimony was given.

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

R-1 Appoint Dunthorpe-Riverdale Sanitary Service District No. 1 Budget Committee Chair and Secretary for Fiscal Year 2010-2011. Board to Nominate Commissioner Judy Shiprack as Budget Committee Chair and Chair Jeff Cogen as Budget Committee Secretary. Presenter: Tom Hansell, Budget Officer, DCS LUTP.

Vice-Chair McKeel moved and Commissioner Kafoury seconded, appointing Commissioner Shiprack as Budget Committee Chair and Chair Cogen as Budget Committee Secretary. The appointments were unanimously approved.

R-2 Dunthorpe-Riverdale Sanitary Service District No. 1
a) Hear Budget Presentation
b) Open Public Hearing to Consider Testimony Presented by Public about the Budget
c) Approval of the 2010-2011 Dunthorpe Riverdale Sanitary Service District No. 1 Proposed Budget for Submittal to Tax Supervising and Conservation Commission.
Presenter: Tom Hansell.

Vice-Chair McKeel moved and Commissioner Kafoury seconded, the Proposed Budget for Dunthorpe Riverdale Sanitary Service District No 1.

Mr. Hansell stated that the Service Districts were created under the provisions of the Oregon Revised Statutes, Chapter 451, to provide construction and operation of sanitary sewer systems and provide street lighting in certain areas of the County. The District contracts with the City of Portland's BES to maintain and treat District lines, and provide design and engineering services.

The Board of Commissioners serve as the governing body of each District. The Budget Committee consists of the members of the Board and residents of the District appointed by the Board for terms of three years. Returning budget committee members are Mrs. Ruth Spetter and Mr. Jeffrey Van Osdel, who hold equal authority with the Commissioners during the Budget Committee process.

Mr. Hansell said the budget for each District is prepared under the direction of a budget officer and reviewed by the Budget Committee. These procedures fulfill the requirements of Oregon's Local Budget Law ORS 294. Mr. Hansell reviewed the District Budget totaling \$1,157,750 for fiscal year 2011, representing a 4% decrease from the current year. The District's capital program of \$200,000 provides funds for construction payments towards the Elk Rock Bypass project and pipe repairs. The budget includes unappropriated fund balance of \$350,250 to help support future District needs identified in the Sanitary System Facility Plan.

Current service charge is \$114 per month, per property for connection and proposed to increase to \$119 per month. The actions requested are consistent in meeting the requirements of the Tax Supervising Conservation Commission and statewide budget laws.

The Board gave their comments and had their questions answered. No one from the public chose to testify. The budget passed unanimously.

(The Board adjourned as the governing body for Dunthorpe Riverdale Sanitary Service District No. 1 and convened as governing body for MID-COUNTY STREET LIGHTING SERVICE DISTRICT NO. 14)

R-3 Appoint Mid-County Street Lighting Service District No. 14 Budget Committee Chair and Secretary for Fiscal Year 2010-2011. Board to Nominate Commissioner Judy Shiprack as Budget Committee Chair and Chair Jeff Cogen as Budget Committee Secretary. Presenter: Tom Hansell.

Commissioner Kafoury moved and Vice-Chair McKeel seconded, appointing Commissioner Shiprack as Budget Committee Chair and Chair Cogen as Budget Committee Secretary. The appointments were unanimously approved.

R-4 Mid-County Street Lighting Service District No. 14

- a) **Hear Budget Presentation**
- b) **Open Public Hearing to Consider Testimony Presented by Public about the Budget**
- c) **Approval of the 2010-2011 Mid-County Street Lighting Service District No. 14 Proposed Budget for Submittal to Tax Supervising and Conservation Commission.**

Mr. Hansell stated that the Service Districts were created under the provisions of the Oregon Revised Statutes, Chapter 451, to provide construction and operation of sanitary sewer systems and provide street lighting in certain areas of the County. The District provides street lighting in the unincorporated areas of Multnomah County and the Cities of Maywood Park, Troutdale, and Fairview.

The Board of Commissioners serve as the governing body of each District. The Budget Committee consists of the members of the Board and residents of the District appointed by the Board for terms of three years. Returning budget committee member is Ms. Paula Watari, who holds equal authority with the Commissioners during the Budget committee process.

Mr. Hansell said the budget for each District is prepared under the direction of a budget officer and reviewed by the Budget Committee. These procedures fulfill the requirements of Oregon's Local Budget Law ORS 294.

Mr. Hansell reviewed the District Budget totaling \$587,844 for fiscal year 2011, representing a 1.3% decrease from the current year. The District's capital program of \$25,000 will continue the practice of adding new street lighting requests, submitted by District residents and cities which respond to vehicular and pedestrian conflict areas and respond to general traffic safety issues. The District's current assessment is \$45 per property, per year. For Fiscal Year 2011, the District proposes to increase the annual rate to \$48. The actions requested are consistent in meeting the requirements of the Tax Supervising Conservation Commission and statewide budget law.

The Board gave their comments and had their questions answered. No one from the public chose to testify. The budget passed unanimously.

(The Board adjourned as the governing body for Mid-County Street Lighting Service District No. 14 and reconvened as BOARD OF COUNTY COMMISSIONERS)

R-5 PROCLAMATION 2010-046 April 18th through April 24th, 2010 as Multnomah County Volunteer Week. Presenters: Kathleen Todd, Director, CIC and Robb Wilson, Coordinator, CIC and Volunteers.

Vice-Chair McKeel moved and Commissioner Willer seconded the motion to adopt the Proclamation.

Ms. Todd gave introductions and said each year, thousands of volunteers contribute to the betterment of their communities. The Citizen Involvement Committee requested that

the Board of Commissioners acknowledge and honor our community volunteers. A Special Day of Recognition for Multnomah County Volunteers will be held Tuesday, April 27, 2010 as the annual Volunteer Awards Ceremony.

Following the presentation, the Proclamation was read. Each of the Commissioners acknowledged the tireless efforts of the volunteers, and commended them for their dedication. Proclamation 2010-046 passed unanimously.

R-6 Briefing on Earth Day 2010 and the Multnomah County Green Team and Hope Garden. Presenters: Commissioner Judy Shiprack; Tim Lynch, Sustainability Program; Alan Proffitt, Facilities; Steve Wright, MCSO; & Grant Swanson, Library.

Chair Cogen welcomed the guests and Commissioner Shiprack introduced the speakers. They gave an overview of the 40th celebration of Earth Day and the activities and successes of the Multnomah County Green Team with the 2010 Hope Garden project. Last year's garden produced nearly 500 pounds of organic vegetables that were donated to the Oregon Food Bank. This year's garden will be planted April 22nd. They recognized the efforts of their community partners.

The Chair and Commissioners commended the efforts of the Green Team, acknowledged their hard work and thanked them for attending.

R-7 ORDINANCE 1160 Amending County Land Use Code, Plans and Maps to Adopt Portland's Recent Land Use Code and Map Revisions to Adopt the Regulatory Improvement Code Amendment Package 5 in Compliance with Metro's Functional Plan and Declaring an Emergency. Presenter: Don Keinholz, Land Use Planner.

Vice-Chair McKeel moved and Commissioner Shiprack seconded the motion to adopt the Ordinance.

Mr. Kienholz presented the proposed Ordinance for adoption as recommended by the Portland Planning Commission and Portland City Council, pursuant to our Intergovernmental Agreement to keep the code up to date. If the County doesn't adopt these amendments, the IGA will be void and the County required to resume responsibility for planning and zoning administration within the affected areas. An emergency is declared in order for the Ordinance to take effect concurrent with the City. Notice was placed in the newspapers 10 days prior to this Hearing. Property owners were included in noticing these code revisions and open houses held for public input. He noted that extra copies were available in the back of the room.

Following discussion and all questions answered, Ordinance 1160 passed unanimously.

R-8 RESOLUTION 2010-047 Certifying an Estimate of Expenditures for Fiscal Year 2010-11 for Assessment & Taxation in Accordance with ORS 294.175. Presenter: Randy Walruff, Director, DART.

Commissioner Kafoury moved and Commissioner Shiprack seconded the motion to adopt the Resolution.

Mr. Walruff asked the Board to approve certification of an estimate of budgeted expenditures for FY 2010-11 for Assessment & Taxation totaling \$17,438,409. Mr. Walruff provided historical background, explained the fiscal impact, and the legal and policy issues involved. The Department of Revenue sent an approval letter certifying Multnomah County's participation in the CAFFA program, including an estimate of CAFFA funds and the distribution rate for Multnomah County, which is shared with the Tax Supervising and Conservation Commission.

Following discussion and all questions answered, Resolution 2010-047 passed unanimously.

R-9 BUDGET MODIFICATION HD-10-28 - Request Approval to Appropriate \$97,000 in Revenue from the State of Oregon – Department of Human Services – Metro Area Pertussis Surveillance Grant. Presenters: Arlene Warren, Communicable Disease Program Manager and Loreen Nichols, CHS Director.

Vice-Chair McKeel moved and Commissioner Willer seconded BudMod HD-10-28.

Ms. Warren discussed the significant and increasing problem of Pertussis cases in Oregon. This grant will assist in investigating cases, reviewing medical records, and offering outreach and education about the necessity for vaccination.

Following discussion and all questions answered, the Budget Modification was passed unanimously.

R-10 BUDGET MODIFICATION HD-10-29 – Request Approval to Appropriate \$10,000 in Revenue from Portland City Water Bureau for Participation in Peer Review Panel. Presenters: Dr. Amy Sullivan, Epidemiologist Manager and Loreen Nichols.

Commissioner Kafoury moved and Commissioner Shiprack seconded BudMod HD-10-29.

Dr. Sullivan said the county will participate in a three-member peer review panel that will assess the Pathogen Catchment Budget Model to ensure its applicability to the Bull Run Watershed; a process being conducted by the Portland Water Bureau as part of their sampling and monitoring program.

Following discussion and all questions answered, BudMod HD-10-29 passed unanimously.

R-11 BUDGET MODIFICATION HD-10-30 – Request Approval to Appropriate \$30,000 in Revenue from David Douglas School District. Presenters: Kathy Norman, Adolescent Health Program Manager and Loreen Nichols.

Vice-Chair McKeel moved and Commissioner Willer seconded BudMod HD-10-30. Ms. Norman discussed this fee-for-service contract for the 4Real (formerly STARS) program that provides adolescent health education at County high schools and middle schools. David Douglas School District has requested the program to provide 4th and 5th grader students educational workshops on physical and emotional changes associated with puberty.

Following discussion and all questions answered, BudMod HD-10-30 passed unanimously.

R-12 BUDGET MODIFICATION HD-10-31 Request Approval to Appropriate \$95,759 in Revenue from the State of Oregon DHS - Women, Infants & Children Grant. Presenters: David Brown, WIC Manager and Loreen Nichols.

Vice-Chair McKeel moved and Commissioner Shiprack seconded BudMod HD-10-31.

Mr. Brown explained that due to increases in caseload, the WIC program received an increase in their annual grant award totaling \$95,759. The increased funding will support WIC's efforts to promote healthy outcomes for clients and provide education.

Following discussion and all questions answered, BudMod HD-10-31 passed unanimously.

Because the following item was a time certain, Chair Cogen recessed the meeting at 10:20 am.

Chair Cogen reconvened the meeting at 10:30 am.

R-13 RESOLUTION 2010-048 Regarding East County Court House Schematic Design and Direction Regarding Next Steps with Public Testimony. Presenters: Doug Obletz, Project Manager & Principal, Shiels Obletz Johnsen; Mark Campbell, Acting Director of Finance & Risk Management; John Lindenthal, Capital Improvement Program Manager; Peggidy Yates, Economic Development Policy Advisor.

Vice-Chair McKeel moved and Commissioner Shiprack seconded the motion to adopt the Resolution.

Commissioner Shiprack requested that an amendment be considered. Vice-Chair McKeel moved and Commissioner Kafoury seconded the request to consider an amendment.

Ms. Yates read the substituted language proposed to the Resolution, in particular, the addition of paragraph K and replacement of paragraph 3.

Chair Cogen thanked everyone who attended and acknowledged all of the Elected Officials and public who came to testify.

Vice-Chair McKeel and Commissioner Shiprack made opening remarks. They thanked everyone for attending and staff for their diligence in making the preparations for today's presentation.

Ms. Yates introduced Mr. Obletz, who reviewed the Schematics of the East County Court House. He also reviewed the project schedule and answered the Board's questions. He stated that they would return in November for the approval of the bond sale to meet timing requirements for bond types being considered. They would then return to the Board again in December for approval to start construction. Mr. Campbell and Mr. Lindenthal provided additional explanations and responded to Board comments and questions.

Chair Cogen opened up the meeting for public testimony, beginning with the Elected Officials, followed by members of the community. That testimony is included in the permanent record.

At the conclusion of public testimony, Chair Cogen invited Board comment. Commissioner Kafoury acknowledged those who came to give public testimony and their support of the proposal. She thanked the task force for all their documentation and Mr. Campbell for listening to their concerns. Commissioner Willer thanked everyone for coming, acknowledged their commitment, and commended staff for helping the Board to understand how to move forward. Commissioner Shiprack thanked those who testified and acknowledged the work of staff and commented on this project being of tremendous importance. Vice-Chair McKeel thanked everyone for their support, her colleagues for their diligence in reviewing the issues, and staff for answering her questions and concerns.

Chair Cogen talked about the need for this project but also his concerns about its affordability given the ten-year history of budget cuts and forecast for this trend to continue at least five years, plus, the State's announcement of upcoming budget cuts this year. He said it's incumbent on the Board to be absolutely certain of the viability of this project before approving this project, due to the cost. He discussed the steps that staff and the Commissioners went through to evaluate alternatives such as leasing, purchasing and remodeling an existing building; to evaluate financing options; and, the significance of the assurances given by the Sheriff's office and Courts that this can be operated without additional expense. Staff also revisited estimates of costs, and they

are now forecast to be significantly lower. The conclusion is that this is the right time and right building. He thanked everyone who came out to testify today, acknowledged the team for their great effort, Commissioners McKeel and Shiprack for bringing this forward and former Commissioner Lonnie Roberts for pushing hard for this project during his entire tenure.

The motion to substitute to approve the substituted Resolution was passed unanimously.

The motion to adopt the amended Resolution 2010-048 was passed unanimously.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 11:47 am.

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