

**Minutes of the Board of Commissioners
Multnomah County, Oregon
Multnomah Building, Board Room 100
501 SE Hawthorne Blvd., Portland, Oregon 97214
Thursday, July 26, 2012**

REGULAR MEETING

Vice-Chair Loretta Smith called the meeting to order at 9:36 a.m. with Commissioners Deborah Kafoury, Judy Shiprack, and Diane McKeel present. Chair Jeff Cogen was excused.

Also present were Jacqueline Weber, Deputy County Attorney, and Marina Baker, Assistant Board Clerk.

CONSENT AGENDA

- C.1 RESOLUTION No. 2012-097 Authorizing the Private Sale of a Tax Foreclosed Property to Robert W. Bodine and Anita L. Bodine.
- C.2 RESOLUTION No. 2012-098 Authorizing the Private Sale of a Tax Foreclosed Property to Forrest M. Burton and Linda M. Burton.
- C.3 RESOLUTION No. 2012-099 Authorizing the Private Sale of a Tax Foreclosed Property to Neil Dreiseszun TR and Marjorie Dreiseszun.
- C.4 RESOLUTION No. 2012-100 Authorizing the Private Sale of a Tax Foreclosed Property to Jacqueline Hillsbery and Arthur Hillsbery.
- C.5 RESOLUTION No. 2012-101 Authorizing the Private Sale of a Tax Foreclosed Property to Nancy R. Widener.
- C.6 BUDGET MODIFICATION LIB-13-01 Reclassifying a Division Manager 2 to a Deputy Director Position in the Library, as Determined by the Class/Comp Unit of Central Human Resources.
- C.7 REAPPOINTMENT of Jerry Hudson to the Board of Directors for the Regional Arts & Culture Council (RACC).

Upon motion made by Commissioner Kafoury 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 testimony was announced, but no one chose to testify.

REGULAR AGENDA

R.1 Informational Board Briefing on Cable Franchise Public Benefits: A Decade of Community Investment. Presenters: Julie S. Omelchuck, Program Mgr., & Rebecca Gibbons, Program Coordinator – MHCRC & Carol Studenmund, LNS.

Commissioner McKeel provided the opening remarks.

Ms. Omelchuck explained that two cable companies operate in unincorporated Multnomah County. Comcast provides service countywide and Reliance Connects serves unincorporated East County in Corbett. The cable companies pay 5% of gross revenues in franchise fees for private use of the public right-of-way. The MHCRC (Mt. Hood Cable Regulatory Commission) collects these fees for Portland, the East County cities and Multnomah County. Over the past decade, the franchise agreements have generated about \$54M in franchise fees for the six jurisdictions. The County and four east County Cities support about 35% of the total MHCRC budget. The County contributes about \$9,500 annually. The General Fund revenue from franchise fees has increased each year, totaling about \$2.9M to the County and four east County Cities over the past ten years.

In addition to the franchise fee, the cable companies pay 3% of their gross revenues to the capital fund for public, education and government use of the cable system. The capital fund represents an investment throughout the County of about \$36M over the past decade and provides capital resources in: MetroEast Community Media; the Community Access Capital Grant program; and the Institutional Network (I-Net).

MetroEast Community Media primarily provides services in east County, as well as produces and airs the Multnomah County Board of Commissioners meetings. Over the past decade, MHCRC and its jurisdictions have invested \$5.9M in operational funding and \$4.9M in capital funds for MetroEast. In this past year, MetroEast supported production of over 3,800 new, local television programs.

The Community Access Capital Grant provides funding directly to nonprofits, educators and local governments so they can use cable system technology to address their constituencies' needs. This program has assisted 50 local organizations and agencies, and funded over 115 projects countywide. Over \$12M in grant funds have been invested throughout the County over the past decade.

I-Net is a separate fiber network contained within Comcast's system and connects nearly 300 public institution sites within the County. I-Net supports phone service in public schools; connections for local and State court systems; public internet access at libraries; access by the public to local government information. Since the transition to I-Net in 2002, users reported either no cost increase for tremendous increase in bandwidth, and many were able to reduce actual costs by up to 30%.

Ms. Omelchuck discussed the MHCRC's work in consumer protection and regulation in the public interest. They have assisted in the resolution of issues involving: use of private property by cable companies, clarity and accuracy of subscriber bills; subscriber privacy concerns; and customer service issues, such as appointment windows and telephone answering.

The MHCRC has undertaken three franchise fee audits in the past ten years. The audits recovered almost \$319,000 in underpaid fees compared to a total audit expense of \$30,000.

Ms. Omelchuck thanked the Board for inviting her group to highlight the impacts these investments have had in the communities and responded to Board questions and comments.

The Board thanked them for providing the briefing.

R.2 Approval of Multnomah County and Oregon Nurses Association 2012-2015 Agreement. Presenter: Jim Younger & Tresa Cavanaugh, Oregon Nurses Association.

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

Mr. Younger explained that the parties' previous labor agreement expired June 30, 2012. The parties reached a tentative successor agreement on all issues on June 21, 2012, which will be effective July 1, 2012 to June 30, 2015. The Oregon Nurses Association membership ratifies the tentative agreement on July 14, 2012.

Mr. Younger and Ms. Cavanaugh discussed the highlights of the agreement and responded to Board questions and comments.

The agreement was unanimously approved.

R.3 NOTICE OF INTENT to Submit an Application for up to \$3.5 Million to the CDC's PPHF 2012: Community Transformation Grants – Small Communities Program. Presenters: Sonia Manhas, Community Wellness and Prevention Program Manager; Marc Harris, Health Services Development Administrator.

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

Ms. Manhas and Mr. Harris explained that the purpose of the grant is to create healthier communities by supporting implementation of evidence and practice-based policy, environmental, programmatic and infrastructure changes to achieve measurable changes in 1) weight, 2) proper nutrition, 3) physical activity, 4) tobacco use, and 5) emotional well being and overall mental health. There is no matching requirement. Grantees receiving \$750,000 or more per year are required to distribute 50% of award funds to community partners. Reporting is required on a semi-annual basis. This is a one-time grant that will provide the Health Department with up to \$3.5 million over a two-year project period and allow them to continue to build on the work initiated through the current Communities Putting Prevention to Work grant. They responded to Board questions and comments.

The NOI was unanimously approved.

R.4 Amending County Land Use Code, Plans and Maps to Adopt Portland's Recent Code Revisions Related to Regulations for Food Production and Distribution; Extension of Expiration Dates for Land Use Approvals; Adding Expiration Timeline for Final Plats and Effective Date for Automatic Adjustments to Dollar Thresholds; the Repeal of Smith and Bybee Lakes Natural Resource Management Plan; the

Addition of Three Maps to Title 33 Related to Airport Futures; and the Repeal of PCC 17.38.060 by Adopting PCC 17.38 in its Entirety in Compliance with Metro's Functional Plan and Declaring an Emergency. Presenter: Chuck Beasley, Senior Planner, LUT.

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

Mr. Beasley explained that on October 11, 2001, the Board adopted Ordinance 967, adopting the Portland Comprehensive Plan and Zoning Ordinance. The County and City of Portland have been engaged in intergovernmental agreements (IGA) enabling the City to provide planning services to achieve compliance with the Metro Functional Plan for those areas outside the City limits, but within the urban growth boundary and urban service boundary of Portland. The County and City entered into an IGA to transfer land use planning responsibilities on January 1, 2002. The IGA lays out a process requiring the County to ensure that any amendments to the City's comprehensive plan, zoning code and other regulations adopted by the City Council will be considered by the Board at the earliest possible meeting. It also states that the Board of County Commissioners shall enact all comprehensive plan and code amendments so that they take effect on the same date specified by the City's enacting ordinances, unless adopted by emergency. The City has taken action on all of the above items. If the County doesn't adopt these amendments, the IGA will be void and the County will be required to resume responsibility for planning and zoning administration within the affected areas.

Mr. Beasley responded to Board questions and comments.

Ordinance No. 1193 was unanimously adopted by emergency.

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 10:11 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