

**MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS
MULTNOMAH BUILDING, BOARD ROOM 100
501 SE HAWTHORNE BLVD., PORTLAND, OREGON
THURSDAY, AUG. 11, 2016 @ 9:30 AM**

REGULAR MEETING

VICE CHAIR LORETTA SMITH CALLED THE MEETING TO ORDER AT 9:38 A.M. WITH COMMISSIONERS JULES BAILEY AND DIANE MCKEEL PRESENT, AND CHAIR DEBORAH KAFOURY AND COMMISSIONER JUDY SHIPRACK EXCUSED.

ALSO ATTENDING WERE JENNY MADKOUR, COUNTY ATTORNEY, AND LYNDA GROW, BOARD CLERK.

[ALL CAPS TEXT IS THE BYPRODUCT OF CAPTIONING THIS PROGRAM.]

GOOD MORNING, AND WELCOME TO THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS REGULAR BOARD MEETING. GOOD TO SEE EVERY ONE THIS MORNING.

CHAIR KAFOURY IS OUT, SO I WILL BE PRESIDING OVER THIS MEETING.

VICE-CHAIR SMITH: MAY I HAVE A MOTION ON THE CONSENT CALENDAR? COMMISSIONER BAILEY MOVES AND COMMISSIONER MCKEEL SECONDS APPROVAL OF THE CONSENT CALENDAR, ALL IN FAVOR VOTE AYE. OPPOSED, THE CONSENT CALENDAR IS APPROVED.

CONSENT AGENDA

- C.1 BUDGET MODIFICATION DCM-03-17 RECLASSIFICATION OF 4 DCM POSITIONS THAT WERE APPROVED AT END OF FY2016 AND NEED RE-APPROVAL FOR FY 2017
- C.2 BUDGET MODIFICATION DCM-04-17 - DCM DART RECLASSIFY FINANCE MANAGER TO FINANCE SUPERVISOR AND ADMIN SPECIALIST TO ADMIN ANALYST
- C.3 NOTICE OF INTENT FOR PROBLEM GAMBLING OUTREACH AND AWARENESS GRANT OPPORTUNITY 2016-2017
- C.4 BUDGET MODIFICATION DCJ-06-17: RECLASSIFIES A 1.00 FTE OFFICE ASSISTANT 2 TO AN OFFICE ASSISTANT SENIOR IN THE DIRECTOR'S OFFICE
- C.5 BUDGET MODIFICATION NON-D-03-17 RECLASSIFYING 3.00 FTE IN THE JOINT OFFICE OF HOMELESS SERVICES

- C.6 BUDGET MODIFICATION NON-D-04-17: RECLASSIFICATION OF A 1.00 LEGAL ASST. 2 TO A LEGAL ASST. SR. IN THE COUNTY ATTORNEY'S OFFICE
- C.7 NOTICE OF INTENT FOR THE HEALTH DEPARTMENT TO SUBMIT AN APPLICATION TO OREGON HEALTH AUTHORITY FOR UP TO \$490,000

PUBLIC COMMENT

OPPORTUNITY FOR PUBLIC COMMENT ON NON-AGENDA MATTERS. TESTIMONY LIMITED TO THREE MINUTES PER PERSON. THIS IS A TIME FOR THE BOARD TO HEAR PUBLIC TESTIMONY, NOT FOR BOARD DELIBERATION.

VICE-CHAIR SMITH: DO WE HAVE ANY PUBLIC COMMENT?

BOARD CLERK: YES, MA'AM. WE HAVE FIVE SIGNED UP.

[BOARD CLERK READS NAMES]

GOOD MORNING.

GOOD MORNING, MY NAME IS JOE WALSH AND I REPRESENT INDIVIDUALS FOR JUSTICE. I AM SURE THAT YOU ARE AWARE OF THIS, YESTERDAY AT THE CITY COUNCIL, THERE WAS AN ITEM ON THE TIME CERTAIN, 923 AND 924. THAT HAS TO DO WITH LEASING THE TERMINAL ISLAND TO THE BUREAU OF HOUSING, AND THEY ARE GOING TO TAKE IT AWAY FROM THE BDS. GROUP AFTER GROUP TESTIFIED NOT TO DO IT. THE PERSON AFTER PERSON WENT TO THE COUNCIL, AND IT WAS A FULL COUNCIL CHAMBER, AND ASKED THEM NOT TO DO IT. THEY ARE GOING TO DO IT ANYWAY. SO THEY ARE GOING TO DO IT ON A 3-2 VOTE. FIRST THEY ARE GOING TO DO AN EMERGENCY SHELTER. THEY ARE GOING TO HOUSE UP TO 400 PEOPLE, AND THEN THEY ARE GOING TO SPEND ANYWHERE FROM 60 TO 100 MILLION ON A PERMANENT STRUCTURE OVER IN TERMINAL ONE. NOW MY QUESTION TO YOU, AND I KNOW THAT YOU DON'T GIVE ME ANY INFORMATION, JUST SIT THERE AND LOOK AT ME. WHERE IS THE COUNTY? WE TOLD YOU WEEKS AGO, MONTHS AGO, THAT YOU HAD A PROBLEM WITH MARK. MARK WAS THERE YESTERDAY. HE SAID NOTHING. NOTHING! HE JUST SAT THERE. AND WHEN I APPROACHED HIM, HE REALLY GOT ANNOYED. AND HE SAID WELL, YOU HAVE TO GET ALONG WITH THE CITY, JOE. I SAID NO, YOU DON'T. YOU GET A WAREHOUSE, A THOUSAND PEOPLE, AND A CAUSE OF \$100 MILLION, AND YOU ARE GOING TO LET PRIVATE DEVELOPERS DO IT. ARE YOU INSANE? IT'S NEVER WORKED WITH HOUSING PEOPLE, AND EVERYBODY WITH A BRAIN KNOWS THAT. THINK ABOUT THAT. 1,000 PEOPLE, WHAT, IN ONE BUILDING. DO YOU KNOW HOW SMELLY THAT WOULD BE? HOW DIFFICULT THAT WOULD BE? THERE ARE PEOPLE LIVING IN TENTS THAT WILL TELL YOU THAT THEY AIN'T GOING. BECAUSE THEY ARE AFRAID THAT YOU CANNOT WAREHOUSE PEOPLE, DAMN IT, AND WHERE WAS

YOUR REPRESENTATIVE? YOUR REPRESENTATIVE SAID NOTHING. YOU ARE SUPPOSED TO GO IN THE LEAD. THAT'S WHAT I UNDERSTOOD, AM I WRONG ON THAT? I HAD A CONVERSATION WITH DEBORAH KAFOURY, AND I GUESS SHE'S STILL ON VACATION, SKI ASKED, ARE YOU IN THE LEAD NOW? AND SHE SAID YES. AND I SAID PLEASE DO THE JOB RIGHT.

COMMISSIONER SMITH: THANK YOU.

MR. WALSH: WE ARE GOING AFTER YOU, DAMN IT. DO SOMETHING. I AM TELLING YOU, LORETTA, AND I KNOW THAT YOU ARE STUCK IN DOING THIS. AND I THINK THAT I MAY OWE YOU AN APOLOGY ABOUT THE TAXES, AND IF THAT'S TRUE, I WILL GIVE YOU A PUBLIC APOLOGY.

VICE-CHAIR SMITH: THANK YOU, MR. WALSH.

MR. WALSH: DO YOUR DAMN JOB, PLEASE. YOU ARE SUPPOSED TO BE THE LEAD AGENCY IN THIS. OTHERWISE WE'RE GOING TO BE IN HERE, AND WE'RE GOING TO FIGHT YOU, TOOTH AND NAIL, AND WE'LL DISRUPT THIS DAMN MEETING. YOU ARE NOT GOING TO WAREHOUSE PEOPLE IN TERMINAL ONE, AND YOU ALREADY GOT ONE LAWSUIT. IT'S NOT GOING TO HAPPEN.

COMMISSIONER SMITH: THANK YOU, MR. WALSH.

MR. WALSH: THANK YOU FOR YOUR PATIENCE. I KNOW I WENT OVER TIME.

GOOD MORNING. MY NAME IS GREG ANDERSON. I AM AN APPLICANT FOR THE POSITION FOR ONE OF THE POSITIONS ON THE CITIZEN INVOLVEMENT COMMITTEE. I AM AWARE THAT CONSIDERATION FOR MY APPOINTMENT ALONG WITH OTHERS IS BEING HELD UP FOR REVIEW. FURTHER TO MY WRITTEN URGING LAST MONTH REGARDING THE OFFICE OF CITIZEN INVOLVEMENT, AND THE OVERSIGHT BOARD, THE CITIZENS' INVOLVEMENT COMMITTEE, MY NAME WAS RECENTLY INCLUDED IN AN OPEN LETTER TO YOURSELVES, AND I WANTED TO QUICKLY SHARE SOME THOUGHTS WITH YOU, SO AS TO FIRST ENSURE THAT THERE WOULD BE NO MISUNDERSTANDING AND SECONDLY, TO COMPLIMENT YOU ON TAKING SERIOUSLY THE ISSUES THAT HAVE SURFACED. IT'S BEEN SUGGESTED THAT THE APPOINTMENT PAUSE HAS CAUSED A STALL OF THE CIC'S OPERATION. WHILE I OBSERVE AND AGREE THAT THIS FUNCTION HAS TAKEN PLACE, AS A LONG-TIME GOVERNMENT OBSERVER PARTICIPANT, BOTH IN APPOINTED AND ELECTED PUBLIC OFFICE PREVIOUSLY AND IN PRIVATE SECTOR MANAGEMENT CONSULTING, IT'S MY PERSONAL AND PROFESSIONAL OPINION THAT THE REASONS FOR THE DYSFUNCTION ARE UNRELATED TO THE COMMISSION'S PAUSE AND INVOLVEMENT. IN FACT, I STRONGLY BELIEVE THE REASON FOR THE DYSFUNCTION HAS BEEN PROPERLY IDENTIFIED AND REMOVED. AND THAT THE BETTERMENT OF THE CITIZENS OF MULTNOMAH

COUNTY IS BEST SERVED BY, AND PROTECTED BY YOUR CONTINUING PROACTIVE ACTIONS.

MR. ANDERSON: IF THE COMMISSION WERE TO MOVE FORWARD IN A MANNER HAS HAD PREVIOUSLY BECOME THE NORM MODE OF OPERATION, I FEEL THAT IT WOULD LIKELY HAVE HAD A PROFOUND ADVERSE CONSEQUENCE OF THE CITIZENS OF THE COUNTY IN THE FUTURE. I HAVE OBSERVED SIGNIFICANT ADMINISTRATIVE FAILURES AND IN ADDITION TO BEING PERSONALLY AWARE OF THE RECENT CHARTER REVIEW COMMITTEE RECOMMENDATION TO MOVE SOME OF THE CRC APPOINTMENT TASKS, AND WAS MADE WITHOUT UNDERSTANDING THAT NEITHER THE CIC, NOR THE EXECUTIVE COMMITTEE FULLY DISCUSSED, CONSIDERED NOR APPROVED THAT PROPOSAL AND OTHER SERIOUS MALFUNCTIONS, WHICH I HOPE THAT YOU CAN CORRECT. HAVING PREVIOUSLY BEEN IN OFFICE WHERE I WAS TASKED MYSELF WITH THE CHARTER IN MAKING APPOINTMENTS TO THE BOARDS, COMMISSIONS, AND COMMITTEES I FEEL FULLY AWARE OF THE GRAVITY OF THE RESPONSIBILITY. I HAVE ABSOLUTELY NO PROBLEM, WITH THE PAUSE OF CONSIDERATION, IN REGARDS TO MY OWN APPOINTMENT AND WOULD URGE YOU TO WEIGH SERIOUSLY ALL THE APPOINTMENT REQUESTS, AND I DO BELIEVE THAT YOU ARE FULFILLING YOUR MANDATE. I AM CERTAIN THAT THOSE WHO ARE CONCERNED ABOUT THE FUTURE OF THE CIC AND THE OFFICE OF CITIZEN INVOLVEMENT DUE TO THE DELAY IS, DUE TO THE APPOINTMENT DELAY, ARE ABSOLUTELY GOOD PEOPLE. WHILE I BELIEVE THAT THEY ARE ALSO WELL INTENTIONED, I HONESTLY BELIEVE THAT THEY ARE MISINFORMED. I STRONGLY SUSPECT -- AS I -- I STRONGLY SUSPECT YOU DO, I AM HOPEFUL THAT THE CIC CAN COME TOGETHER, ENTER A HEALING PROCESS AND UNDERSTAND THE GRAVITY OF THE PAST AND THE FUTURE RESPONSIBILITIES AND MOVE FORWARD IN A PRODUCTIVE COMMITTEE PROCESS THAT SUPPORTS THE TRANSPARENT CITIZEN CONTROL GOVERNMENT FOR THE BENEFIT OF ALL THE CITIZENS OF THE COUNTY. THANK YOU VERY MUCH.

VICE-CHAIR SMITH: THANK YOU.

YES, I AM LIGHTNING AND I REPRESENT LIGHTNING WATCHDOG PDX. MY POSITION ON TERMINAL 1 IS OPPOSITE OF WHAT MR. WALSH'S POSITION IS. IN MY OPINION THEY HAVE MOVED FORWARD ON THIS, AND THEY GOT IT APPROVED BY USING THE STATE OF EMERGENCY HOUSING. VERY FEW DEVELOPERS COULD HAVE STEPPED IN A POSITION TO DO THIS TYPE OF A MASS SHELTER AT THIS WAREHOUSE, WHICH IS 100,000 SQUARE FEET, RIVERFRONT, SITS ON 14 ACRES. AND THEY HAVE POSITIONED THEMSELVES MORE OR LESS IN A HOMER WILLIAMS, MORE OR LESS IN A DUE DILIGENCE TYPE OF SITUATION. WE'RE IN THE FIRST SIX MONTHS, THEY WANT TO MOVE 400 PEOPLE INTO THIS WAREHOUSE, AND THEN HE WANTS TO COME UP WITH PLANS ON DOING A HOMELESS CAMPUS SIMILAR OF WHAT THEY HAVE DONE IN SAN ANTONIO, TEXAS. HE'S LOOKING AT AGAIN -- WHAT WE NEED TO

UNDERSTAND IS THAT MR. WILLIAMS IS STEPPING UP TO THE TABLE OFFERING PRIVATE FUNDING, POSSIBLY AS HIGH AS 30 AND EVEN AS HIGH AS 50 MILLION. WE HAVE NOT SEEN THIS BEFORE, AND EVERYBODY NEEDS TO WATCH THIS VERY CLOSELY BECAUSE WHEN WE GET DEVELOPERS BEGINNING TO PUT THESE TYPE OF SHELTERS, AND CAMPUSES TOGETHER, AND PARTICIPATE IN THE MANNER THAT HE IS, THIS IS VERY BENEFICIAL THROUGHOUT THE COMMUNITIES THAT THEY ARE WILLING TO COMMIT THEIR TIME, RESOURCES, EXPERTISE, ON, ON DOING THIS. AND A LOT OF PEOPLE MAY BE AGAINST IT, BUT THERE IS ALSO A LOT OF PEOPLE THAT ARE FOR IT, SO WE'RE GOING TO WATCH THIS VERY CLOSE, AND AGAIN, THEY ARE TALKING ABOUT IT, LOOKING AT WAPATO AGAIN, NOT MR. WILLIAMS, PERSONALLY BUT THERE IS GOING TO BE DEVELOPERS STEPPING UP TO THE TABLE AT THIS TIME, AND THEY ARE ALSO LOOKING AT WAPATO, AT THIS TIME AGAIN. WHEN WE CAN BRING IN PRIOR TO MONEY, SUCH AS THESE DEVELOPERS, IT'S VERY BENEFICIAL TO WATCH VERY CLOSELY WITH WHAT THEY ARE GOING TO DO, AND UNDERSTAND MR. WILLIAMS HAS A TRACK RECORD OF DEVELOPING PROPERTIES IN THE PEARL, WATERFRONT PROPERTIES, AND PROPERTIES REALLY AROUND THE WORLD, SO HE'S NOT SOMEBODY JUST STEPPING UP TO THE TABLE THAT DOES NOT HAVE THE SKILLS AND THE KNOWLEDGE IN WANTING TO DO SOMETHING POSITIVE, SO AGAIN, I AM VERY MUCH FOR THE PROCESS TO WATCH VERY CLOSELY, AND TO SEE WHERE MR. WILLIAMS GOES AT THIS TIME. THANK YOU.

VICE-CHAIR SMITH: THANK YOU.

GOOD MORNING.

GOOD MORNING.

I AM MATTHEW CHARLES CARDINALE OF STATE AND MUNICIPAL A-S FOR RESULTS TODAY. SMART-ALECK. SO SMART-ALECK HAS ATTRACTED START-UP GRANT FUNDING, TAX EXEMPT STATUS, AND NATIONAL MEDIA COVERAGE. WE EVEN GOT THE ATTENTION OF ALEC, THE AMERICAN LEGISLATIVE EXCHANGE COUNCIL WHO FELT INSISTENT THAT WE CEASE AND DESIST. WE WERE VERY TOUCHED TO KNOW THAT THEY WERE THINKING OF US, AND WE RESPONDED WITH A BOUQUET OF YELLOW ROSES TO THEIR ATTORNEYS, AND WE ARE LIKE MILEY CYRUS. WE CAN'T CEASE AND WON'T CEASE. PART OF THE GRANT FUNDING THAT WE RECEIVED, THOUGH, IS FOR A PILOT PROJECT THAT I WANTED TO SHARE WITH YOU. WE'RE GOING TO BE WORKING WITH LOW INCOME AND HOMELESS PEOPLE ACROSS MULTNOMAH COUNTY. TO GIVE THEM A VOICE IN THE GOVERNMENT, AND TO BRING THEM TO THESE MEETINGS, THE CITY HALL, AND ALSO TO SALEM.

MR. CARDINALE: WE WILL BE WORKING TO IDENTIFY AND REMOVE THE BARRIERS TO PARTICIPATION, SO I AM VERY SERIOUS ABOUT CITIZEN INVOLVEMENT. I HAVE SENT YOU ALL SOME EMAILS TO MULT.CHAIR AND

MULT.US, AND SO FORTH. THE VOTERS CREATED THE OFFICE OF CITIZEN INVOLVEMENT AS AN INDEPENDENT BODY BY A REFERENDUM IN 1984. TO IMPROVE THE COMMUNICATION BETWEEN THE BOARD OF COMMISSIONERS AND THE CITIZENS. OBVIOUSLY THERE WAS PERCEIVED AT THAT TIME A NEED FOR IMPROVEMENT TO THAT RELATIONSHIP, AND I BELIEVE THAT NEED STILL EXISTS TODAY. FROM WHAT I CAN SEE, ONE THING THAT COULD IMPROVE COMMUNICATIONS IS IF THE CITIZENS WHO WOULD SEND EMAILS TO COMMISSIONERS WOULD AT LEAST RECEIVE SOME KIND OF RESPONSE SAYING THANK YOU, WE RECEIVED YOUR EMAIL, THAT WOULD IMPROVE THE COMMUNICATION GREATLY, AND THE TWO-MINUTE TIME LIMIT FROM LAST WEEK BECAUSE OF THE AGENDA, IT SEEMS TO ME, HELP ME OUT HERE, BUT IF THE AGENDA IS FULL, THERE IS MORE THINGS THAT THE CITIZENS MAY WISH TO SPEAK ON, WHICH MEANS THAT THERE SHOULD, PERHAPS, BE MORE TIME NOT LESS. WE'RE OUT THERE TRYING TO CONVINCING PEOPLE TO EXERCISE THEIR FIRST AMENDMENT RIGHTS TO PETITION THEIR GOVERNMENT FOR A RE-DRESS OF GRIEVANCES. WHEN SO MANY PEOPLE BELIEVE THAT THAT'S A WASTE OF TIME AND THAT THEY WILL BE DISRESPECTED. PLEASE DON'T LET THEM BE RIGHT. IN APRIL WHEN THE RENT CONTROL PEOPLE CAME DOWN HERE, AND EXPRESSED THEIR POLITICAL POWER, YOU ALL WERE SO GOOD. YOU LET PEOPLE GO OVER TIME, AND YOU LET PEOPLE VENT THEIR FRUSTRATIONS FROM THE AUDIENCE. AND I WAS TELLING PEOPLE ABOUT HOW YOU HAD ALLOWED THAT RICH AND VIBRANT SPACE FOR DEMOCRACY TO TRANSPIRE. THAT SHOULD BE OUR ASPIRATION. AND I ALSO DO WANT TO REITERATE MY CALLING ON YOU ALL TO MOVE FORWARD ON THE NOMINATIONS OF THE FIVE MEMBERS TO THE CIC. THESE VOLUNTEERS, THE CITIZENS HAVE PUT THEMSELVES OUT THERE TO SERVE, AND TO OFFER THEIR GIFTS, AND THEIR TALENTS AND THEIR PASSION AND TO OUR COUNTY. AND IT JUST SEEMS AS IF YOU HAVE TAKEN YOUR TIME, AS IF YOU DON'T RECOGNIZE THE URGENCY OF THIS OFFICE. YOU WILL HAVE HAD MANY YEARS TO CLARIFY THE EXPECTATIONS AROUND THIS OFFICE. OUR CITIZENS HAVE SPENT WEEKS TRYING TO ADDRESS EVERY CONCERN. WE CAN IMPROVE EVERY PART OF THE PROCESS, THE NOMINATING PROCESS, THE LETTERS, BUT WE MUST PRESERVE THE INDEPENDENT OF THIS BOARD, AND THAT INCLUDES BY MOVING FORWARD ON THE STALLED APR. THANK YOU.

VICE-CHAIR SMITH: THANK YOU FOR YOUR COMMENTS.

BOARD CLERK: WE HAVE ONE MORE. ARTIST LAUREL VANDERLYN.

GOOD MORNING COMMISSIONERS.

COMMISSIONER SMITH: GOOD MORNING.

I WENT TO --

VICE-CHAIR SMITH: STATE YOUR NAME.

I AM SORRY, I AM ARTIST LAUREL VANDERLYN. I JUST WANTED TO SAY THAT I WAS AT A MEETING YESTERDAY AT CITY HALL WHERE PEOPLE WERE TALKING ABOUT THE ISSUE THAT WE HAVE WITH HOMELESSNESS HERE AT MULTNOMAH COUNTY. I HEARD A 64-YEAR-OLD VETERAN, FEMALE VETERAN SPEAK. I HAVE SPOKEN TO HER BEFORE. SHE SAYS THE -- SHE WAS SHARING WITH ME ONE DAY THAT THE SCARIEST AND THE MOST DANGEROUS THING FOR WOMEN ON THE STREETS ARE POLICE. AND I THINK THAT MIGHT BE BECAUSE THERE IS, IN OUR POLICE DEPARTMENT AND IN OUR COUNTY, AND IN OUR STATE, AND, ACTUALLY, IN THE UNITED STATES WE HAVE AN ISSUE WITH [INAUDIBLE] AND POLICE DEPARTMENTS. AND I THINK THAT THE ISSUE IS IN THE TRAINING BECAUSE WE TRAIN POLICE TO USE FORCE. AND FORCE IS ROOTED IN THIS. IT'S A VERY, VERY BIG CONCERN OF MINE WHEN WE START -- I DON'T KNOW -- I DON'T HAVE ENOUGH INFORMATION, AND I DON'T THINK THAT I KNOW ENOUGH TO FORM AN OPINION ABOUT WHAT IS THE BEST THING TO DO FOR THE PEOPLE THAT ARE CAMPED, THAT ARE CAMPING AND WANTING TO MOVE THEM INTO A WAREHOUSE. I JUST KNOW THAT WE NEED TO LET THOSE PEOPLE THAT WANT TO MOVE, MOVE, AND TO LEAVE THE PEOPLE THAT DON'T WANT TO MATTHEW ALONE. WE NEED TO BE CONSIDERATE OF THEM. WE NEED TO PROTECT WOMEN. A LOT OF THESE WOMEN ARE HOMELESS BECAUSE THEY DON'T HAVE ENOUGH MONEY. THEY DON'T HAVE ENOUGH RESOURCES, AND THEY DON'T HAVE ENOUGH EDUCATION, AND CERTAINLY THEY DON'T HAVE ENOUGH SUPPORT. THESE WOMEN ARE SEPARATED FROM THEIR CHILDREN, AND THEIR CHILDREN ARE IN FOSTER HOMES. AND IN FOSTER HOMES, FOSTER CARE PARENTS ARE MAKING A LOT OF MONEY ON THESE CHILDREN, AND I DON'T UNDERSTAND WHY THIS DOESN'T GO TO THE MOTHERS. AND TO THE FATHERS OF THESE CHILDREN. WE TAKE THEM OUT OF THIS. WE TAKE THE CHILDREN OUT OF THE STREETS AND AWAY FROM THEIR PARENTS. AND WE THINK THAT JUST SHELTERING, A LOT OF THEM ARE GETTING VERY HURT. IN THESE HOMES, TOO. OUR SYSTEM IS VERY BROKEN. THIS EXISTS IN OUR SYSTEM, AND IT DOES NOT EXIST WITHOUT WOMEN. THANK YOU VERY MUCH.

REGULAR AGENDA

R.1 Second Reading of an Ordinance Amending MCC Chapter 9 – County Employment, § 9.160 – Compensation Plan. Presenter: Steve Herron, Human Resources Manager Senior (5 min)

VICE-CHAIR SMITH: MAY I HAVE A MOTION?

COMMISSIONER BAILEY: SO MOVED.

COMMISSIONER MCKEEL: SECOND.

VICE-CHAIR SMITH: COMMISSIONER BAILEY MOVES. COMMISSIONER MCKEEL SECONDS APPROVAL OF THE SECOND READING AND ADOPTION. GOOD MORNING.

MR. HERON: GOOD MORNING VICE CHAIR AND COMMISSIONERS. MY NAME IS STEVE HERON, THE LABOR RELATIONS DIRECTOR FOR THE COUNTY, AND WE HAVE BROUGHT THIS CODE CHANGE TO YOU. I ADDRESSED IT LAST WEEK. I DON'T KNOW IF YOU HAVE QUESTIONS OR IF THERE IS ANYTHING YOU WOULD LIKE ME TO ADDRESS. AS I MENTIONED LAST WEEK FUNDAMENTALLY IT'S NOT GOING TO CHANGE SUBSTANTIVELY PROCESSES. IT'S A HOUSEKEEPING CHANGE SO THAT THE LANGUAGE OF THE CODE AND OUR PRACTICES, WHICH ARE LONGSTANDING PRACTICES HAVE CONSISTENCY.

VICE-CHAIR SMITH: ANY QUESTIONS, COMMISSIONER MCKEEL?

COMMISSIONER MCKEEL: ANYTHING CHANGED FROM LAST WEEK?

MR. HERON: NOTHING.

COMMISSIONER MCKEEL: OK. THANK YOU.

VICE-CHAIR SMITH: ANY QUESTIONS? ALL THOSE IN FAVOR VOTE AYE. OPPOSED. THE SECOND READING IS APPROVED AND THE ORDINANCE IS ADOPTED. THANK YOU VERY MUCH.

THANK YOU VERY MUCH.

R.2 Resolution Declaring a Vacancy in the Office of the Multnomah County Sheriff, Calling an Election, and Setting the Candidate Filing Deadlines. Presenter: Jenny M. Madkour, County Attorney (5 min)

VICE-CHAIR SMITH: MAY I HAVE A MOTION? COMMISSIONER BAILEY MOVES AND COMMISSIONER MCKEEL SECONDS APPROVAL OF R 2. GOOD MORNING.

MS. MADKOUR: GOOD MORNING VICE CHAIR AND COMMISSIONERS. I AM JENNY MADKOUR, YOUR COUNTY ATTORNEY. AS THE TITLE SUGGESTS WE ARE DOING THREE THINGS WITH THIS RESOLUTION TODAY, DECLARING A VACANCY IN THE OFFICE OF THE MULTNOMAH COUNTY SHERIFF. WE ARE CALLING FOR AN ELECTION IN NOVEMBER. WE WILL BE SETTING CANDIDATE FILING DEADLINES. SO BY WAY OF REVIEW OUR COUNTY CODE AND OUR CHARTER REQUIRE THAT THIS BOARD DECLARE A VACANCY WHEN IT BECOMES AWARE OF A VACANCY IN OFFICE WITH AN ELECTED OFFICIAL. AND HERE MULTNOMAH COUNTY SHERIFF DAN STAYTON HAS STATED THAT AFTER 27 YEARS OF SERVICE HE WILL BE RETIRING THIS MONTH, EFFECTIVE AUGUST 16. SHERIFF STAYTON'S SERVICE SHOULD BE RECOGNIZED, AND WE WILL DECLARE HIS VACANCY TODAY. WHAT HAPPENS NEXT IS THE ACTING --

THE UNDERSHERIFF, MIKE REESE WILL SERVE AS THE INTERIM DESIGNEE IN THE OFFICE OF MULTNOMAH COUNTY SHERIFF UNTIL THE ELECTION IN NOVEMBER. AS I SAID THE SECOND THING THAT WE'RE DOING IS CALLING THE ELECTION, AND THE ELECTION IS OFFICIALLY CALLED UPON PASSAGE OF THIS RESOLUTION FOR NOVEMBER 8, 2016, TO FILL THE REMAINDER OF THE CURRENT TERM. THE ELECTION DATES WILL BE CERTIFIED TO THE ELECTION'S DIRECTOR, AND PERSONS WISHING TO FILE FOR ELECTION TO THE OFFICE OF MULTNOMAH COUNTY SHERIFF MUST FILE BY 5:00 P.M. ON AUGUST 30, 2016. THAT'S ALL THAT I HAVE FOR THE BOARD UNLESS YOU HAVE QUESTIONS.

VICE-CHAIR SMITH: THANK YOU, JENNY. ANY QUESTIONS, COMMISSIONER BAILEY? COMMISSIONER MCKEEL? ALL THOSE IN FAVOR, VOTE AYE. THOSE OPPOSED, THE RESOLUTION IS ADOPTED. THANK YOU VERY MUCH.

BOARD CLERK: R3, RESOLUTION AUTHORIZING --

[INAUDIBLE IN AUDIENCE]

BOARD CLERK: VICE-CHAIR SMITH, HE WANTS TO TESTIFY ON R2.

VICE-CHAIR SMITH: WE VOTED.

MS. MADKOUR: YES, THE BOARD HAS VOTED ON THIS MATTER. AT THE PLEASURE OF THE PRESIDING OFFICER, CHAIR SMITH, SHE CAN ALLOW THE PUBLIC COMMENT. OTHERWISE WE HAVE CALLED THE OTHER MATTER, SO IT IS UP TO THE VICE CHAIR.

VICE-CHAIR SMITH: OK, WE WILL MOVE ON. THANK YOU.

R.3 Resolution Authorizing Condemnation and Immediate Possession of Real Property Necessary for the NE Arata Road Project. Presenters: Patrick Hinds, Permit Specialist; and, Courtney Lords, Asst. County Attorney (5 min)

COMMISSIONER MCKEEL: SO MOVED.

COMMISSIONER BAILEY: SECOND.

VICE-CHAIR SMITH: COMMISSIONER MCKEEL MOVES. COMMISSIONER BAILEY SECONDS APPROVAL OF R3.

MS. LORDS: GOOD MORNING. I AM COURTNEY LORDS FROM THE COUNTY ATTORNEY'S OFFICE, AND WITH ME IS PAT HINDS, PERMIT SPECIALIST IN THE DIVISION OF TRANSPORTATION. WE ARE HERE TODAY TO SEEK AUTHORITY FROM YOU TO PROCEED WITH EMINENT DOMAIN AUTHORITY ON A

PARTICULAR PROPERTY RELATED TO THE ARATA ROAD PROJECT. AS YOU ARE WELL AWARE, IN 2014, AT THE END OF 2014, YOU APPROVED THE RESOLUTION TO PROCEED WITH THE PROJECT, AND BEGINNING IN 2016, WE HAVE STARTED OUR RIGHT-OF-WAY ACQUISITION UNDER THAT PROJECT. AS WE HAVE CONTINUED TO TRY TO NEGOTIATE IN A TIMELY MATTER WITH PROPERTY OWNERS, WE DO NOW HAVE ONE PROPERTY IN WHICH THE PROPERTY OWNER HAS NOT BEEN WILLING TO NEGOTIATE WITH THE COUNTY. AS A RESULT OF THAT, THE TRANSPORTATION DIVISION HAS DETERMINED IN ACCORDANCE WITH [INAUDIBLE] THAT IT'S IN THE BEST PUBLIC INTEREST TO PROCEED WITH EMINENT DOMAIN AUTHORITY, AND TO FILE CONDEMNATION ACTION ON THIS PROPERTY. SO THE RESOLUTION BEFORE YOU TODAY IS TO AUTHORIZE US TO DO THAT.

VICE-CHAIR SMITH: ANY COMMENTS OR QUESTIONS, COMMISSIONERS? COMMISSIONER MCKEEL?

COMMISSIONER MCKEEL: VICE CHAIR? THANK YOU.

COMMISSIONER MCKEEL: I THINK THAT, AS YOU KNOW, FROM OUR PAST HISTORY, WE'RE ALWAYS A LITTLE HESITANT TO DO THIS KIND OF THING, BUT SO MY QUESTION REALLY IS, HAVE WE REALLY EXPLORED AND EXPENDED ALL APPROPRIATE MEANS TO ACQUIRE THIS PROPERTY?

MS. LORDS: THE ANSWER TO YOUR QUESTION IS YES. THE OFFER LETTER WAS ORIGINALLY SENT TO THE PROPERTY OWNER ON APRIL 20 OF THIS YEAR. UNDER STATUTORY REQUIREMENTS THEY HAVE 40 DAYS IN WHICH TO RESPOND. THAT RAN ON MAY 30. THEY DID NOT RESPOND IN A FAVORABLE MANNER, SPECIFICALLY, THE APPRAISAL VALUE OF THE PROPERTY IS 2,800, AND THE PROPERTY OWNER HAS BEEN REQUESTING 25,000 IN COMPENSATION. SO, AS YOU CAN IMAGINE THERE IS A BIG DISCONNECT THERE, AND UNFORTUNATELY THE COUNTY IS UNABLE TO JUSTIFY AN AMOUNT ABOVE THE APPRAISAL. IN ADDITION TO THAT, THEY HAVE REQUIRED THAT WE PROVIDE DRIVEWAY CUTS FOR THEM, WHICH AGAIN IS NOT TIED TO THE PROJECT, AND SO YOU CAN IMAGINE IN TERMS OF THE PRECEDENCE WHAT KIND OF POSITION THIS WOULD PUT THE COUNTY IN. SO SINCE THAT TIME, WE HAVE CONTINUED TO FOLLOW UP OUR RIGHT-OF-WAY ACQUISITION TEAM, HAS MADE MULTIPLE ATTEMPTS TO CONTACT THE PROPERTY OWNER, WHICH AT THIS POINT, THEY HAVE JUST STOPPED RESPONDING. SO THAT LEAVES US WITH THE NEXT STEP, WHICH IS CONDEMNATION.

COMMISSIONER MCKEEL: THANK YOU, I APPRECIATE THAT CLARIFICATION.

VICE-CHAIR SMITH: THANK YOU. ALL THOSE IN FAVOR VOTE AYE. OPPOSED. THE RESOLUTION IS ADOPTED. THANK YOU.

R.4 Resolution Approving the Acquisition of Certain Real Property Interests for the SE Stark St. Culvert Replacement Project. Presenters: Patrick Hinds, Transportation Permit Specialist; and, Courtney Lords, Assistant County Attorney (5 min)

COMMISSIONER MCKEEL: SO MOVED.

COMMISSIONER BAILEY: SECOND.

VICE-CHAIR SMITH: COMMISSIONER MCKEEL MOVES, AND COMMISSIONER BAILEY SECONDS APPROVAL OF R4.

MS. LORDS: AS I JUST MENTIONED, COURTNEY LORDS WITH THE COUNTY ATTORNEY'S OFFICE AND PAT HINDS, DIVISION OF TRANSPORTATION. THIS MATTER IS ALSO RELATED TO PROPERTY ACQUISITIONS FOR IMPROVEMENT PROJECTS, AND THIS ONE IN PARTICULAR IS JUST YOUR ACCEPTANCE UNDER THE AUTHORIZING RESOLUTION TO PROCEED WITH THE PROPERTY ACQUISITION. PART OF THAT RESOLUTION ASKED THAT WHEN WE HAVE AN ACCEPTANCE FROM A PROPERTY OWNER, FOR ONE OF OUR OFFERS, THAT WE BRING IT BACK TO YOU. AND THIS IS THAT PIECE. PAT, DO YOU HAVE ANYTHING THAT YOU WANT TO ADD?

MR. HINDS: NOT PARTICULARLY, OTHER THAN THESE ARE NEGOTIATED SETTLEMENTS. WITH THE PROPERTY OWNERS.

VICE-CHAIR SMITH: ANY QUESTIONS OR COMMENTS?

VICE CHAIR, THANK YOU. IT LOOKS TO ME LIKE THERE IS TWO SEPARATE TRANSACTIONS, ONES WITH THE PRIVATE PROPERTY OWNER AND ONE WITH THE CITY OF TROUTDALE, AM I CORRECT?

MR. HINDS: THAT'S CORRECT. ONE WITH THE PROPERTY OWNER AND THE OTHER IS A DONATION ON BEHALF OF THE CITY, SO WE APPRECIATE THAT, OBVIOUSLY.

COMMISSIONER MCKEEL: I NOTICED THAT, AND I THINK THAT WE SHOULD APPROPRIATELY THANK THE CITY OF TROUTDALE FOR BEING A GOOD PARTNER.

THANKS.

VICE-CHAIR SMITH: ALL THOSE IN FAVOR, VOTE AYE. OPPOSED? THE RESOLUTION IS ADOPTED.

R.5 Resolution Initiating Vacation Proceedings Pursuant to ORS 368.341(1)(c) for a Portion of a 12' Wide Public Way, and Directing the County Road Official to

Prepare a Report as Required by ORS 3668.346(1). Presenters: Patrick Hinds, Transportation Permit Specialist; and, Courtney A. Lords, Assistant County Attorney (5 min)

MAY I HAVE A MOTION?

COMMISSIONER MCKEEL: SO MOVED.

COMMISSIONER BAILEY: SECOND.

COMMISSIONER MCKEEL MOVES AND COMMISSIONER BAILEY SECONDS APPROVAL OF R5.

MS. LORDS: THIS RESOLUTION IS TO START THE THREE-STEP PROCESS FOR A CITIZEN INITIATED PETITION TO VACATE A PORTION OF RIGHT-OF-WAY. THIS PARTICULAR RIGHT-OF-WAY HAS NEVER BEEN DEVELOPED, AND IT IS NOT PLANNED FOR DEVELOPMENT IN THIS FUTURE. IF THERE ARE MORE SPECIFIC ITEMS RELATED TO THIS, PAT HAS BEEN WORKING WITH THE PROPERTY OWNER AND THE PETITIONER ON THIS AND HE CAN ADDRESS ANY FURTHER QUESTIONS OR COMMENTS.

VICE-CHAIR SMITH: ANY QUESTIONS OR COMMENTS? GO AHEAD, COMMISSIONER MCKEEL.

COMMISSIONER MCKEEL: EXCUSE ME, I DO HAVE A QUESTION. SO I UNDERSTAND THAT ON THIS MAP, WE HAVE -- WE'RE JUST VACATING A PORTION OF THIS?

MR. HINDS: THAT'S CORRECT.

COMMISSIONER MCKEEL: A STRIP OF 135 FEET LONG?

MR. HINDS: RIGHT. RIGHT. AND THE PROPERTY OWNER, THAT'S PETITIONING THE COUNTY, OWNS ALL THE PROPERTY ON BOTH SIDES OF THE 12-FOOT ALLEYWAY BEING PETITIONED FOR A VACATION.

COMMISSIONER MCKEEL: AND THEY WANT TO PUT SOMETHING, A STRUCTURE ON THIS?

MR. HINDS: THAT'S WHAT GOT TRANSPORTATION INVOLVED IN THE FIRST PLACE, SO THEY ARE THE -- THE PROPERTY OWNER IS INTERESTED IN CONSTRUCTING A GARAGE. IN ORDER TO GET THE PERMIT FOR THAT, THEY NEEDED TO ASK IF THE COUNTY WOULD SEEK VACATION FROM THE COUNTY OF THIS PUBLIC ALLEYWAY.

COMMISSIONER MCKEEL: ARE THERE ANY IMPACTS TO THE PROPERTY OWNER FOR MAKING THAT CHANGE? OR ANY UNINTENDED CONSEQUENCES FOR BUILDING ANOTHER STRUCTURE ON THE PROPERTY?

MR. HINDS: AS FAR AS UNINTENDED CONSEQUENCES, I AM NOT SURE THAT THERE WOULD BE ANY -- THE LOTS THAT ARE REMAINING ARE STILL POTENTIALLY DEVELOPABLE. IT WON'T IMPACT THEM. AND THE PROPERTY OWNER HAS LIVED IN THIS AREA FOR 30 OR 40 YEARS, SO THEY ARE WELL -- I THINK THAT THEY ARE WELL AWARE OF THE COMMUNITY AND THEIR ABILITY TO DEVELOP, SO THAT'S --

MR. HINDS: PAT DID LET THEM KNOW THAT THERE COULD POTENTIALLY BE TAX CONSEQUENCES, WHICH, OF COURSE, WE WERE NOT SKILLED ENOUGH TO SPEAK TO BUT WE DID POINT THEM IN THE DIRECTION OF DART.

COMMISSIONER MCKEEL: RIGHT, SO THEY DO KNOW THAT. THANK YOU.

VICE-CHAIR SMITH: IS THERE ANY FINANCIAL IMPACT TO THE COUNTY?

MR. HINDS: THE COUNTY DOESN'T MAINTAIN THIS OR USE THIS IN ANY PARTICULAR FASHION. IT IS A 12-FOOT-WIDE ALLEYWAY, AND THAT IS WITHIN THE RANGE OF OUR TRAVEL LANES FOR ONE LANE OF TRAFFIC. SO IT'S AN ALLEY-WAY, AND WE DON'T USE IT.

VICE-CHAIR SMITH: THANK YOU, ALL THOSE IN FAVOR, VOTE AYE. OPPOSED. THE RESOLUTION IS ADOPTED. THANK YOU.

THANK YOU.

R.6 Capital Project Budget Reallocation Capital Improvement Program FPM 17-01 for the Yeon Above Ground Fuel Tank Project. Presenter: John Lindenthal, Capital Program Manager; and, Mat Brady, Project Manager, FPM (10 min)

COMMISSIONER BAILEY: SO MOVED.

COMMISSIONER MCKEEL: SECOND.

VICE-CHAIR SMITH: COMMISSIONER BAILEY MOVES AND COMMISSIONER MCKEEL SECONDS, APPROVAL OF R6.

MR. LINDENTHAL: GOOD MORNING, VICE-CHAIR, I AM WITH THE CAPITAL PROGRAM MANAGER FOR THE COUNTY, AND HERE TODAY TO REQUEST APPROVAL OF THE REALLOCATIONS OF CAPITAL FUNDS FOR THE ABOVE GROUND FUEL TANKS, IN THE AMOUNT OF 150,000. THE ORIGINAL BUDGET WAS 450,000, AND ONE-TIME ONLY MONEY, THAT WAS APPROPRIATED BY THE

BOARD. AND ON THE PROJECT, 90,000 ABOVE THE ESTIMATE THAT WE WERE ANTICIPATING. WE ONLY RECEIVED ONE BID. THE BID ENVIRONMENT AND THE SPECIALTY WORK THAT THE FUEL TANKS ARE, WE DO NOT SEE WHERE IT'S A VALUE TO THE COUNTY TO GO OUT AND REBID THE PROJECT. WE DON'T ANTICIPATE THAT WE WOULD GET THE LOWER BIDS BECAUSE OF THAT. ANOTHER FACTOR THAT OCCURRED ON THE PROJECT THAT AFFECTED THE BUDGET WAS THE RETAINING WALL ON THE FUEL TANKS, BEING BUILT NEXT TO THE BERM BY THE FUEL STATION. AND THAT IS KIND OF SLIDING DOWN CLOSER TO THE FUEL POINT SO WE HAD TO BUILD A MORE ROBUST, RETAINING WALL SYSTEM BEHIND THE FUEL TANKS, AND THAT INCREASED THE COST BY \$30,000. AND THEN THE BALANCES FOR THE CONTINGENCY, BECAUSE AS YOU KNOW, THINGS HAPPEN ON THE PROJECTS, SO THAT'S WHY WE'RE ASKING FOR A REALLOCATIONS OF 150,000 TO INCREASE THE TOTAL BUDGET TO 600,000. THE MONEY IS COMING FROM A HEAT PUMP PROJECT, BASICALLY, FOR THE HVAC SYSTEMS, AND WHAT WE'LL DO THIS IS WE'RE ONLY TAKING HALF OF THE MONEY, AND IN ORDER TO MAKE THIS PROJECT WORK, AND VIABLE, AS A PART OF THE FY-18 BUDGET PROCESS. I WILL REVIEW THAT PROJECT AND REALLOCATE THE FUNDS TO THE NORMAL BUDGET PROCESS FOR THAT PROJECT, IF NECESSARY. AND OTHER THAN THAT, IF YOU HAVE ANY QUESTIONS, I AM HAPPY TO ANSWER THEM.

COMMISSIONER SMITH: ANY QUESTIONS OR COMMENTS? AND I WAS -- I WAS GOING TO ASK YOU THAT QUESTION, WHERE THE DOLLARS WERE COMING FROM, SO FROM EXISTING 2017 BUDGET AND ALLOCATED PROJECT, YOU ARE JUST MOVING AROUND AND PUSHING OUT THE --

MR. LINDENTHAL: CORRECT, ANY BUDGET REALLOCATIONS WITHIN THE FUNDS OF OVER 100,000 REQUIRES BOARD APPROVAL.

VICE-CHAIR SMITH: THANK YOU. ALL THOSE IN FAVOR, VOTE AYE. THOSE OPPOSED. THE BUDGET REALLOCATIONS IS APPROVED. THANK YOU FOR COMING.

THANK YOU.

BOARD COMMENT

BC.1 OPPORTUNITY AS TIME ALLOWS, FOR THE COMMISSIONERS TO PROVIDE COMMENT ON NON-AGENDA ITEMS.

VICE-CHAIR SMITH: NOW IS THE TIME WHEN WE HAVE, FOR BOARD COMMENTS ON NON-AGENDA ITEMS, AND YES, I AM LOOKING AT YOU, COMMISSIONER MCKEEL. (LAUGHTER)

COMMISSIONER MCKEEL: THANK YOU VERY MUCH. WELL, WE ARE STILL DOING THE SCHOOL SUPPLY DRIVE, SO REMEMBER WE HAVE TWO BINS OUT IN THE LOBBY, AND ONE IN THE LINCOLN BUILDING, SO I IMAGINE THAT

SCHOOL IS STARTING PRETTY SOON. I SEE HEADS NOD. SO ANYWAY, THAT'S STILL GOING ON, AND THEN THIS SATURDAY IN GRESHAM IS ROCKING AROUND THE BLOCK, WHICH IS A LONG-TIME EVENT OUT IN GRESHAM. I BELIEVE IT STARTS AT LIKE 8:00 A.M., BUT, AND GOES ALL DAY BUT IT RAISES SCHOLARSHIP FUNDS FOR THE COMMUNITY COLLEGE AUTOMOTIVE TECHNOLOGY PROGRAM. AND IT'S A GREAT EVENT, SO COME OUT TO GRESHAM ON SATURDAY.

ADJOURNMENT – 10:11 AM

VICE-CHAIR SMITH: THANK YOU, ANY OTHER COMMENTS? THERE BEING NO FURTHER BUSINESS, THIS MEETING IS ADJOURNED. [GAVEL POUNDED]

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SUBMITTED BY:
LYNDA J. GROW, BOARD CLERK AND
MARINA BAKER, ASSISTANT BOARD CLERK
BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON