

**Minutes of the Board of Commissioners
Multnomah County, Oregon
Multnomah Building, Board Room 100
Tuesday, June 23, 2011**

REGULAR MEETING

Chair Jeff Cogen convened the meeting at 9:37 a.m. with Vice-Chair Deborah Kafoury and Commissioners Loretta Smith, Judy Shiprack, and Diane McKeel present.

Also in attendance: Henry H. Lazenby, Jr., County Attorney, and Marina Baker, Assistant Board Clerk.

CONSENT AGENDA

C.1 Off Premises Sales Liquor License Application for New Owner of Corbett Country Market, 36801 E Historical River Hwy, Corbett, OR.

C.2 Unclaimed Property Sale/Auction for the Multnomah County Sheriff's Office.

Upon motion made by Vice-Chair 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.

Public testimony was provided by Mike McArthur, Executive Director, Association of Oregon Counties and Umatilla County Commissioners Bill Hansell, Dennis Doherty, and Larry Givens. They explained that since Multnomah County will be hosting the National Association of Counties (NACo) Annual Conference in 2011, all 36 Oregon counties participated in raising funds to support Multnomah County. They presented the Board with a check in the amount of \$56,500. Additionally, Commissioners Hansell, Doherty and Givens presented the Board with a case of canola oil entirely made in Oregon and a box of Red Delicious apples grown in Umatilla County.

The presenters and Board expressed pride and excitement in hosting NACo. The Board thanked the presenters for their generous gifts.

REGULAR AGENDA

R.1 PUBLIC HEARING and Consideration of a RESOLUTION Establishing Fees and Charges for MCC Chapters 11.05 Land Use General Provisions, 11.15 Zoning, 11.45 Land Divisions, 37 Administration and Procedures, 38 Columbia River Gorge National Scenic Area; and Repealing Resolution No. 2010-069. Presenters: Denise Kleim, Doug Morgan, Rebecca Esau, and Paul Scarlett of the City of Portland Bureau of Development Services.

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

Ms. Kleim made introductions and gave an overview. The City of Portland's Bureau of Development Services (BDS) provides land use and site development services in areas of unincorporated Multnomah County under an IGA which stipulates that fees charged for those services must cover the full cost of their provision. The City of Portland is proposing an overall increase of 8% beginning July 1, 2011 to address long-standing financial deficits. Construction activity has declined sharply over the last few years, resulting in a large drop in fee and permit revenues. BDS responded by reducing operating costs and using its reserve fund to meet operating costs, but eventually, were compelled to lay off over half their employees and cut back services significantly. This negatively impacts customers, development projects, and neighborhood livability. They continue to seek efficiencies, monitor finances, and request additional support from the City's General Fund. Still, BDS' current fee structure doesn't cover the costs of performing their services, so the increase is absolutely necessary to maintain minimal services.

The presenters responded to Board questions and comments. The Board thanked them for their presentation.

Resolution No. 2011-082 was unanimously adopted.

R.2 PUBLIC HEARING and Consideration of a RESOLUTION Establishing Fees and Charges for Chapter 27, Community Services, of the Multnomah County Code, and Repealing Resolution No. 2010-067. Presenters: Denise Kleim, Doug Morgan, Rebecca Esau, and Paul Scarlett.

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

Ms. Kleim explained that with this item, too, the City of Portland provides plan review, permit issuance, and inspection services in areas of unincorporated Multnomah County under an IGA which stipulates that fees charged for those services must cover the full cost of their provision. One program that has been delegated to the City of Portland is the subsurface sewage program, in which the City permits and inspects cesspools, septic tanks, and other localized sewage disposal systems. The City serves the entire County for this program and is compensated by revenues that BDS collects from program permit fees. Since the end of the Mid-County sewer hookup program in 1998, permit revenues have dropped substantially. Fee increases were implemented in FY 2000 to bring the fees up the State fee schedule and in FY 2002, staffing was reduced to match the workload. Fees were increased by 57% in FY 2005 and small increases were passed in subsequent years. Despite these efforts, the program is projected to have a cumulative deficit of about \$1.4 million by the end of FY 2011.

In order to address these deficits and maintain full cost recovery as required by the IGA, the City is proposing increases of 20%, 45% and 70% up to target beginning July 1st. BDS continues to focus on addressing service levels, funding and staffing issues.

Commissioner Smith asked if these additional fees incorporate more FTEs. Ms. Kleim responded that they do not.

Alex Mauck was invited up to present his public testimony. Mr. Mauck introduced himself as an owner of a sanitation/septic business that has been family owned since 1948. He

expressed his dissatisfaction with the City of Portland and Multnomah County's permit process, which he described as expensive, time consuming and redundant. Processing takes two weeks, inspections are limited to two days a week, and a repair that was \$200 is now \$1400. He recommended increasing on-site enforcement, as ORS requires mandatory maintenance, but no one enforces this and 25% of systems are estimated to be failing. Another option he offered is returning the program to the Oregon Department of Environmental Quality (DEQ); he suggested speaking to Mike Kasinsky at DEQ; as they cover half of the counties in Oregon. He stressed that deferring sewer maintenance could easily result in vast public health problems. He responded to Board questions and comments.

Ms. Kleim stated that she would be glad to continue this conversation and investigate DEQ's capacity to take over this program.

Vice-Chair Kafoury asked how many permits are issued a year. Mr. Morgan responded that about 80 permits are annually issued for the entire County.

Chair Cogen stated that he would support this action today, but urged them to continue pursuing the idea of giving it back to the DEQ, possibly increasing FTEs and the level of service. He asked that they keep the Commissioners apprised.

Vice-Chair Kafoury said that her office has been working on this issue for some time and the Board has been aware of these issues prior to today.

The Board thanked Mr. Mauck and the presenters for speaking on this issue.

Resolution No. 2011-083 was unanimously adopted.

R.3 PUBLIC HEARING & 2ND Reading of an ORDINANCE Establishing a Business Advisory Council to the Multnomah County Board of County Commissioners. Sponsor: Chair Cogen. Presenters: Marissa Madrigal, Chair's Office; Sean Files, District 4; Christopher Warner, District 2.

Commissioner McKeel moved and Vice-Chair Kafoury seconded approval of R-3.

Commissioner McKeel provided the introduction and thanked those involved for their support, leadership and input on this project. The presenters provided the explanation and responded to Board questions and comments.

Ordinance No. 1183 was unanimously approved.

R.4 RESOLUTION Appointing Members to the Multnomah County Business Advisory Council. Presenters: Marissa Madrigal; Sean Files; Christopher Warner; Kristy Jo Lewis, Global Sistergoods; and Casey Ryan, Vice-President, Riverview Community Bank.

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

Chair Cogen said that the appointment process for the Business Advisory Council (BAC) was difficult, because they had many great candidates apply, but could only choose a few. He

stated that the Board appointed really great members to BAC. He read the names of the appointees into the record.

Chair Cogen invited new appointees Ms. Lewis and Mr. Ryan to speak. They thanked the Board for this opportunity to create a private-public partnership and expressed enthusiastic to learn and share new ideas.

Resolution No. 2011-084 was unanimously approved.

R.5 2nd Reading of ORDINANCE Amending MCC §11.256 Relating to Use of Vehicle Registration Fee Proceeds. Presenter: Matt Ryan, Assistant County Attorney.

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

Mr. Ryan provided the explanation and responded to Board questions and comments.

Ordinance No. 1184 was unanimously adopted.

R.6 PROCLAMATION Proclaiming the Week of June 23rd through June 30th, 2011, ReUse Week in Multnomah County. Presenters: Sarah Brownstein, Resource Conservation Coordinator; Joe Connell, ReStore, Habitat for Humanity; Kristy Wood & Roz Babner, Community Warehouse; and Bo Bullock, Schoolhouse Supplies.

Commissioner McKeel moved and Commissioner Shiprack seconded approval of R-6.

Ms. Brownstein provided the introductions. Each of the presenters spoke of their organization's efforts to raise the visibility of reuse and promote it as an easy and helpful practice that more people should adopt. Reusing items benefits the community by helping those in need, reducing the amount of materials sent to landfills, and providing employment. They responded to Board questions and comments.

Chair Cogen read the Proclamation into the record.

Proclamation No. 2011-085 was unanimously adopted.

R.7 BUDGET MODIFICATION DCM-11 Increase Cash Transfer to Two Facility Capital Funds from Facilities Management Fund for Final Repayment of Lincoln Building Obligation. Presenters: Bob Thomas, Facilities Director.

Commissioner Shiprack moved and Commissioner McKeel seconded approval of R-7.

Mr. Thomas provided the explanation and responded to Board questions and comments.

BudMod DCM-11 was unanimously approved.

R.8 BUDGET MODIFICATION DCHS11-30 Increasing Mental Health and Addiction Services Division (MHASD) Oregon Health Plan (OHP/Medicaid) Funding by \$1,764,871 for Processing of Children's Mental Health Claims. Presenter: David Hidalgo, MHASD.

Commissioner Shiprack moved and Vice-Chair Kafoury seconded approval of R-8.

Mr. Hidalgo provided the explanation and responded to Board questions and comments.

BudMod DCHS11-30 was unanimously approved.

R.9 BUDGET MODIFICATION MCSO-10 Appropriating \$50,604 in the United States Dept. of Homeland Security Vulnerability Reduction Purchasing Plan – Buffer Zone Protection Program Grant. Presenter: Chief Deputy Drew Brosh, MCSO.

Commissioner Shiprack moved and Commissioner McKeel seconded approval of R-9.

Chief Deputy Brosh provided the explanation and responded to Board questions and comments.

BudMod MCSO-10 was unanimously approved.

R.10 BUDGET MODIFICATION MCSO-11 Appropriating \$22,000 from the State of Oregon, Oregon Parks and Recreation Department for Patrol Services in Columbia River Gorge Parks within Multnomah County. Presenters: Chief Deputy Drew Brosh.

Commissioner McKeel moved and Commissioner Shiprack seconded approval of R-10.

Chief Deputy Brosh provided the explanation and responded to Board questions and comments.

BudMod MCSO-11 was unanimously approved.

R.11 BUDGET MODIFICATION MCSO-12 appropriating an additional \$100,000 from the Oregon Department of Transportation for Patrol Services in Work Zones. Presenters: Chief Deputy Drew Brosh.

Commissioner Shiprack moved and Commissioner McKeel seconded approval of R-11.

Chief Deputy Brosh provided the explanation and responded to Board questions and comments.

BudMod MCSO-12 was unanimously approved.

R.12 BUDGET MODIFICATION MCSO-13 appropriating \$15,000 from the Bulletproof Vest Partnership Program to the Sheriff's Office for the purchase of bulletproof vests. Presenters: Chief Deputy Drew Brosh.

Commissioner McKeel moved and Commissioner Shiprack seconded approval of R-12.

Chief Deputy Brosh provided the explanation and responded to Board questions and comments.

BudMod MCSO-13 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 11:14 a.m.

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