

**Minutes of the Board of Commissioners
Multnomah Building, Board Room 100
501 SE Hawthorne Blvd., Portland, Oregon
Thursday, September 29, 2011**

REGULAR MEETING

Vice-Chair Deborah Kafoury convened the meeting at 9:34 a.m. with Commissioners Judy Shiprack and Diane McKeel present. Chair Jeff Cogen and Commissioner Loretta Smith were excused.

CONSENT AGENDA

- C.1 Unclaimed Property Sale/Auction.
- C.2 Transfer of Unclaimed Property in the Amount of \$36,441.35 to the County General Fund.
- C.3 RESOLUTION 2011-115 Authorizing the Private Sale of a Tax Foreclosed Property to Edward Joe Knowles.
- C.4 Nominate Elisa J. Dozono as representative to the Metropolitan Exposition and Recreation Commission (MERC) for a second term.
- C.5 Ratification of RESOLUTION 2011-116 Filling a Vacancy in the Legislative Assembly, Oregon State Representative District 46 Adopted at September 27, 2011, Special Meeting.

Upon motion made by Commissioner Shiprack and seconded by Commissioner McKeel the consent calendar was unanimously approved.

PUBLIC COMMENT

No public testimony was given.

REGULAR AGENDA

- R.1 RESOLUTION Authorizing Condemnation and Immediate Possession of Real Property Necessary for the Sellwood Bridge Project. Presenter, Ian Cannon, Program Manager, Sellwood Bridge Project.**

Commissioner Shiprack moved and Commissioner McKeel seconded approval of R-1.

Mr. Cannon provided the explanation. He said negotiations to purchase property owned by Kathleen Holahan have not resulted in settlement. Their counteroffer is being negotiated, but the time required to reach an agreement and close may impact the planned date of November 1, 2011 for federal and state certification of the right-of-way process. This process must be certified prior to the award of any construction contract for the project. It is essential to authorize the filing of legal proceedings to acquire the property, which will allow construction to

proceed. Once the suit is filed, the amount offered is filed with the court, and after the County is granted possession, the owners can access that money for their purposes.

Commissioner Shiprack commended Mr. Cannon and Assistant County Attorney John Thomas for their tactful, respectful and professional method of obtaining property necessary for the new Sellwood Bridge which allows us to stay on schedule and within budget.

Mr. Cannon responded to questions and comments from the Board.

Resolution No. 2911-117 was unanimously adopted.

R.2 PROCLAMATION Proclaiming October 20121 Oregon Archives Month in Multnomah County, Oregon. Presenters: Terry Baxter and Jenny Mundy, Records.

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

Mr. Baxter made the introductions and provided the explanation. He said Archives Week/Month is in its 8th year of celebration in Oregon, and has been celebrated since 1989 in a number of states. Its purpose is to increase the public's awareness of archival and historical records, educate people and organizations about preserving their own records, and encourage people to explore and use the archives in their area. Additionally, the Open Source archives collection management program is now online and records activity has increased steadily over the past four years.

Ms. Mundy invited the Board to the Archives Crawl on October 15th, from 10:00 a.m. until 3:00 p.m. Portland archival institutions involved include Portland State University, Oregon Historical Society, Multnomah County Library, and The Portland Archives and Records Center as focus locations, plus 30 other participants.

The presenters responded to questions and comments from the Board.

Vice-Chair Kafoury commended them and thanked them for bringing this before the Board.

Ms. Mundy read the proclamation into the record.

Proclamation No. 2011-118 was unanimously adopted.

R.3 Informational Board Briefing on the District Attorney's Office Restitution Project. Presenters: Rod Underhill, Chief Deputy; Mike Schmidt, Prosecutor; Helen O'Brien, Victim's Assistance; & Paige Thomas, Restitution Project.

Introductions and opening remarks were made by Chief Deputy Underhill. He said the purpose of today's Briefing is to report on the progress of the work undertaken since July and discuss next steps. The Board granted their request to fund a position to focus on issues raised in a recent State Audit regarding restitution practices in counties throughout the State. The District Attorney matched that contribution by dedicating a half-time attorney position to this project. The DA's office is committed to full implementation of Victims' Rights with a goal of their office to make the criminal justice system more responsive to the victims of crime and

to inform victims of their rights. Ensuring their losses are fully investigated and presented to the court is a priority for them.

Prosecutor Schmidt and Ms. O'Brien reviewed the recommendations from the Secretary of State Audit 2010, followed by an overview of Goals for 2011-2012 including responsiveness, accessibility and complete restitution. She discussed creating restitution rates based on crime categories; their goal to be a legal reference hub; and handling complex restitution cases. She talked about the successes including *State v. Kendall*; *State v. McLaughlin*; and, *State v. McConchie*.

Chief Deputy Underhill talked about next steps including office-wide training, grant writing and reforming office procedures to attain goals.

The presenters responded to Board questions and comments.

Vice-Chair Kafoury and the Commissioners thanked them for attending and participating in this briefing.

R.4 BUDGET MODIFICATION DCHS12-03 Adding 1.00 FTE Mental Health Consultant and 1.00 FTE Office Assistant 2 to Program Offer #25060 Adult Mental Health Initiative (AMHI) to Function as a Utilization Review Specialist. Presenter: David Hidalgo, Interim Director, County Mental Health & Addictions Services

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

Mr. Hidalgo provided the explanation. He asked the Board's approval of DCHS12-03, which adds 1.00 FTE Mental Health Consultant and 1.00 FTE Office Assistant 2 to Program Offer #25060 - Adult Mental Health Initiative (AMHI) as approved by class comp requests #1705 and #1659. It uses un-contracted, pass-thru funds to offset the additional personnel costs. These two positions were approved after the deadline for inclusion in the FY12 budget process. He responded to questions and comments from the Board.

BudMod DCHS12-03 was unanimously approved.

R.5 RETROACTIVE BUDGET MODIFICATION NOND-17 Increasing the Transient Lodging Tax Pass-Through Appropriation to Reflect Higher Revenue Collections in FY 2011. Presenter: Mike Jaspin, Economist.

Commissioner McKeel moved and Commissioner Shiprack seconded approval of R-5.

Mr. Jaspin provided the explanation. He asked the Board to approve retroactive Budget Modification NOND-17, which increases the FY 2011 appropriation for the Transient Lodging Tax by \$2,500,000. This is a retroactive action affecting FY 2011 only. Prior year budgets cannot be modified except when the budget is for money collected by one jurisdiction and passed through to another (ORS 294.450(5)). In FY 2011, the Transient Lodging Taxes exceeded budgeted revenues and appropriations. He responded to questions and comments from the Board.

BudMod NOND-17 was unanimously approved.

BOARD COMMENT

BC.1 Opportunity as time allows, for the Commissioners to provide comment on non-agenda items.

Vice-Chair Kafoury suggested that since R-6 finishes with refreshments, comments pertaining to non-agenda items be taken now. There were none.

R.6 PROCLAMATION Proclaiming September 15 through October 15, 2011 as Hispanic Heritage Month. Sponsor: Chair Cogen. Presenters: Guillermo A. Maciel, Policy Advisor, Chair's Office; Consuelo Saragoza, MPA, Senior Advisor of Public Health & Community Initiatives, Health Department; Carmen Rubio, Executive Director, Latino Network; Pietro Ferrari, Executive Director, Catholic Charities of Portland; Linda Castillo & Invited Guests.

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

Ms. Castillo provided the introductions and thanked the Commissioners for the opportunity to present this proclamation. She said this year's proclamation will recognize the contributions of the Latino and Hispanic Community of Multnomah County. The Presenters spoke on the issues of health and the economy in relation to the Latino and Hispanic community and current events related to the Latino population in Oregon.

Ms. Castillo read the proclamation into the record.

The Board thanked the presenters for attending and thanked them for their hard work.

Proclamation No. 2011-119 was unanimously adopted.

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:06 a.m.

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