

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

**Tuesday, June 15, 2010**

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

**EXECUTIVE SESSION**

Chair Jeff Cogen convened the meeting at 9:00 a.m. with Commissioners Deborah Kafoury and Barbara Willer present. Vice-Chair Diane McKeel and Commissioner Judy Shiprack were excused.

**ES-1 The Multnomah County Board of Commissioners will meet in Executive Session pursuant to ORS 192.660(2) (d) and (h) to discuss the proposed settlement of the Addy case and other case updates. Only representatives of the news media and designated staff may attend. News media and all other attendees are specifically directed not to disclose information that is the subject of the Executive Session. Final decisions are decided in public Board meetings. Presenters: County Attorney Agnes Sowle, Asst. County Attorney Jenny Morf, Michelle Cross, DCM and Marc Anderson, DCM.**

Executive Session was held.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 9:23 a.m.

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**Thursday, June 17, 2010**

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, and Barbara Willer present, and Commissioner Judy Shiprack participating telephonically.

Also present were Agnes Sowle, County Attorney and Lynda Grow, Board Clerk.

## **CONSENT CALENDAR**

UPON MOTION MADE BY VICE-CHAIR MCKEEL AND SECONDED BY COMMISSIONER WILLER THE CONSENT CALENDAR WAS UNANIMOUSLY APPROVED.

- C-1 Budget Modification NOND -19, Reclassifying One Position in the Public Affairs Office.
- C-2 RESOLUTION No. 2010-081 Authorizing the Private Sale of a Tax Foreclosed Property to Donald D. & Jeannette Lucky.
- C-3 RESOLUTION No. 2010-082 Authorizing the Private Sale of a Tax Foreclosed Property to Mate Skoro.

## **UNANIMOUS CONSENT ITEM**

Vice-Chair McKeel moved and Commissioner Willer seconded the consideration of the unanimous consent item.

The consideration of the unanimous consent item was unanimously approved.

**UC-1 RESOLUTION Confirming the Interim Designees for the Multnomah County Chair and the Multnomah County Sheriff in the Event of a Vacancy. Presenters: County Attorney Agnes Sowle, Chief Deputy Tim Moore, Captain Jason Gates, and Chair Jeff Cogen.**

Vice-Chair McKeel moved and Commissioner Kafoury seconded approval of UC-1.

Ms. Sowle provided the explanation. Chair Cogen appointed Marissa Madrigal, Chair's Office Chief-of-Staff, as his interim designee. He spoke about her qualifications and wide understanding of the County. Chief Deputy Moore spoke on behalf of Sheriff Dan Staton, naming Capt. Gates as the Sheriff's interim designee. Ms. Madrigal and Capt. Gates thanked the Board for their consideration.

Resolution No. 2010-083 was unanimously adopted.

## **PUBLIC COMMENT**

Public testimony was given and received for the record.

## **REGULAR AGENDA**

### **R-1 Leaders of Change: Innovation Video Series – DCHS Finds a Home Program. Presenters: Dave Austin, DCHS and Carolyn McGrath, DCHS/ADS.**

Mr. Austin provided the introduction and explained that the innovation video series is a project of Leaders of Change that highlights a new innovation each month. He played a video, which highlights the Multnomah County Find-a-Home website. This website was developed by Aging & Disability Services to provide a public and departmental resource to aid the placement of adults in short-term or long-term care.

Mr. Austin and Ms. McGrath responded to Board questions and comments. The Board thanked them for their presentation.

### **R-2 Authorizing the Settlement of Worker's Compensation Disputed Claims for Ahmed Addy. Presenters: Marc Anderson, DCM, Risk.**

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

Mr. Anderson explained that this settlement is for all workers' compensation claims brought forth by Ahmed Addy for the amount of \$75,000. He responded to Board questions and comments.

The Settlement was unanimously approved.

### **R-3 Board Briefing of the Tax Abatement Audit Follow-up. Presenter: Steve March, Multnomah County Auditor.**

Dr. March explained that this report represents the Auditor's formal follow-up of the January 2008 audit of Tax Abatement programs. During that audit, the Auditor's Office found problems that led to improperly approved abatements. They recommended strengthening assurance procedures and monitoring by the Division of Assessment, Recording and Taxation (DART), who originally identified the compliance issues. DART successfully addressed all of the 2008 audit's recommendations and is working with the City and Oregon Department of Revenue to improve the administration of the programs. While the City hasn't completed putting adequate procedures in place for all tax abatement programs, DART is working through issues by way of an intergovernmental workgroup on an ongoing basis. Dr. March responded to Board questions and comments. The Board thanked him for his report.

**R-4 Resolution Approving a Memorandum of Understanding with the City of Portland for Funding Operation of a Crisis Assessment and Treatment Center, Approving an Agreement with Central City Concern for Funding Construction of a Crisis Assessment and Treatment Center and Authorizing the Chair to Execute a Lease of Space at the Hooper Building for the Center. Presenters: Chair Jeff Cogen; Joanne Fuller, Director, Department of County Human Services; Ed Blackburn, Exec Director, Central City Concern; Mayor Sam Adams & Invited Guests.**

Commissioner Kafoury moved and Commissioner Willer seconded approval of R-4. Ms. Sowle informed the Board that the department requested consideration of a revised Resolution for R.4. Chair Cogen requested a motion to consider the substitution.

Commissioner Kafoury moved and Commissioner Willer seconded the motion to consider the substituted Resolution under R-4. The motion passed unanimously.

Chair Cogen provided the opening remarks. Ms. Fuller explained that the Crisis Assessment Treatment Center (CATC) facility would serve individuals experiencing a mental health crisis who cannot manage their symptoms on their own but don't require a hospital stay to become stable. The Board's approval is requested to authorize the Chair to sign the Memorandum of Understanding between the County and the City of Portland, for operation of the Center. In this MOU, Multnomah County agrees to fund half of the operating costs for the CATC when complete. Board approval would also authorize the Chair to sign the Agreement with Central City Concern to fund a portion of the CATC's construction) for a total of \$842,000.

Ms. Fuller addressed the revised Resolution which authorizes the Chair to execute the lease of space and make funding available for this Center. This revised Resolution negates the need for any action under R.6. Ms. Fuller and invited guests responded to Board questions and comments.

The Board thanked the presenters for their hard work on this project.

The Memorandum of Understand with Portland, the Agreement with Central City Concern, and the revised Resolution No. 2010-084 were all unanimously adopted.

**R-5 BUDGET MODIFICATION DCHS-35 to recognize \$2,000,000 City of Portland Funds and to Re-allocate \$842,000 of County Funds for the Crisis Assessment and Treatment Center Capital Renovation Costs. Presenters: Joanne Fuller, Karl Brimner, David Hidalgo.**

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

Ms. Fuller provided the explanation and responded to Board questions and comments.

BudMod DCHS-35 was unanimously approved.

**R-6 RESOLUTION Approving an Agreement for Funding Construction of a Crisis Assessment and Treatment Center. Presenters: Joanne Fuller, Karl Brimmer, David Hidalgo.**

Ms. Sowle explained that R-6 was subsumed in the substituted R-4 and may be withdrawn. Chair Cogen asked for a motion to withdraw R.6 indefinitely.

Commissioner Willer moved and Vice-Chair McKeel seconded the motion to withdraw R.6 indefinitely. Item R-6 was unanimously withdrawn.

**R-7 Intergovernmental Agreement (IGA) with City of Portland for the Gateway Center for Domestic Violence Services' Computers, Video Equipment and Domestic Violence Victim Advocate. Presenters: Commissioner Dan Saltzman, Martha Strawn-Morris & Brett Taute.**

Vice-Chair McKeel moved and Commissioner Kafoury seconded approval of R-7.

Chair Cogen provided the opening remarks. Ms. Strawn-Morris and Mr. Taute explained that the County passed a resolution that accepted the City's Report and Recommendations of the Feasibility Study for a One-Stop Domestic Violence Service Center dated February 2008, and has agreed to join with the City and other appropriate partners to negotiate the terms of an agreement to establish a One-Stop Domestic Violence Service Center. It is the intent of the City and the County to implement the Center in order to provide an opportunity for co-location of agencies to improve service delivery by facilitating communication among domestic violence community-based services, law enforcement, and prosecution agencies. The goal of the Center is to provide victim-centered services that promote victim autonomy. The City will be the fiscal agent for the Center. They responded to Board questions and comments.

The Board thanked them for their work on this project.

The IGA was unanimously approved.

**R-8 PROCLAMATION Proclaiming the Month of June 2010 as Pride Month for Transgender, Genderqueer, Lesbian, Gay, Bisexual and other Sexual and Gender Minorities in Multnomah County. Presenters: Rodney Gibbs, PRISM Chair; Joyce Liljeholm, Board Member, Oregon Safe Schools and Communities Coalition; Kendall Clawson, Executive Director, Q Center; Debra Porta, President, Pride Northwest; Kyle White, Field Manager, Basic Rights Oregon & Other Invited Guests.**

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

Chair Cogen and Commissioner Willer provided the opening remarks. The presenters provided an explanation and responded to Board questions and comments.

Commissioner Willer read the Proclamation into the record.

Proclamation No. 2010-085 was unanimously adopted.

**R-9 PUBLIC HEARING Amending Exhibits 2 (Findings) and 3 (Record Index) of Ordinance No. 1161 that Amended Multnomah County Comprehensive Framework Plan and the Multnomah County Plan and Sectional Zoning Maps Relating to Urban and Rural Reserves and Declaring an Emergency. Presenter: Chuck Beasley, Land Use Planning.**

Commissioner Willer moved and Vice-Chair McKeel seconded approval of R-9.

Commissioner Kafoury made a motion to consider an amendment to Exhibit 3, the Record Index supporting the Ordinance. Commissioner Willer seconded the motion.

Chair Cogen announced that this a Quasi-Judicial Public Hearing for the purpose of amending Exhibits 2 and 3 for Ordinance No. 1161. It amends the County's land use regulations, comprehensive plan and or other policy documents that affect the entire County or large portions of it.

Chair Cogen advised the Board and audience that the hearing would include a presentation, public testimony and time for the Board to have questions answered by staff before deliberation and action. He stated that they will first establish the impartiality of the decision makers and the fairness of this proceeding.

He asked the Commissioners if they or their relatives had any ex-parte contacts, bias or pre-judgment, or direct or substantial financial interest or conflicts of interest that could lead to bias or partiality. Each Commissioner stated that they had none.

Chair Cogen asked if anyone present had an objection to the participation of any one of the Commissioners. No objections were voiced.

Chair Cogen said now that the guidelines for the hearing were established, they would hear Staff's report.

Mr. Kienholz and Mr. Beasley gave the report. They explained that this is an amendment to the Urban and Rural Reserves Ordinance No. 2010-1161 to conform the Multnomah County findings in part II of Exhibit 2 to the findings adopted by Clackamas County, Washington County, and Metro. He responded to Board questions and comments.

Chair Cogen asked the audience if anyone wished to testify. The Board Clerk verified that no one signed up to testify. No one chose to testify.

Chair Cogen asked if anyone wanted to challenge the Hearing on procedural grounds. No challenges were offered.

The motion to consider the substituted updated Exhibit 3 was unanimously approved.

The amendments to Ordinance No. 1161 with Exhibit 2 and the substituted Exhibit 3 were unanimously approved as amended.

**R-10 Budget Modification NOND-20, Adding \$23,987 in Grant Revenue to the Commission on Children, Families, and Community FY 2010 Budget. Presenter: Joshua Todd.**

Commissioner Kafoury moved and Commissioner Willer seconded approval of R-10.

Mr. Todd provided an explanation and responded to Board questions and comments.

BudMod NOND-20 was unanimously approved.

**R-11 ORDER Canceling Multnomah County Land Sale Contract No. 15812 for Default in Payments and Performance of Covenants. Presenters: Randy Walruff & Matt Ryan, Assistant County Attorney.**

Commissioner Kafoury moved and Commissioner Willer seconded approval of R-11.

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

Order No. 2010-086 was unanimously adopted.

**R-12 ORDER Canceling Multnomah County Land Sale Contract No. 15816 for Default in Payments and Performance of Covenants. Presenters: Randy Walruff & Matt Ryan.**

Vice-Chair McKeel moved and Commissioner Willer seconded approval of R-12.

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

Order No. 2010-087 was unanimously adopted.

**R-13 RESOLUTION Authorizing Election to Receive National Forest Related Safety-Net Payments for Federal Fiscal Year 2010. Presenter: Mike Waddell, Business Services Manager, Department of County Management.**

Vice-Chair McKeel moved and Commissioner Kafoury seconded approval of R-13.

Mr. Waddell provided an explanation and responded to Board questions and comments.

Resolution No. 2010-088 was unanimously adopted.

**R-14 RESOLUTION Authorizing Election to Receive O&C Land Related Safety-Net Payments for Federal Fiscal Year 2010. Presenter: Mike Waddell.**

Commissioner Kafoury moved and Vice-Chair McKeel seconded approval of R-14.

Mr. Waddell provided an explanation and responded to Board questions and comments. Resolution No. 2010-089 was unanimously adopted.

**R-15 BUDGET MODIFICATION MCSO-14 Appropriating \$149,358 from the Oregon Criminal Justice Commission Recovery Act (ARRA) Measure 57 Grant. Presenters: Wanda Yantis, Sheriff's Office Fiscal Mgr & Scott Marcy, DA's Business Services Mgr.**

Vice-Chair McKeel moved and Commissioner Kafoury seconded approval of R-15.

Ms. Yantis and Mr. Marcy provided an explanation and responded to Board questions and comments.

BudMod MCSO-14 was unanimously approved.

**R-16 BUDGET MODIFICATION MCSO-17 Appropriate \$530,000 of General Fund Contingency to the Sheriff's Office and Facilities & Property Management to Cover the Unanticipated Costs Associated with the Search for Kyron Horman. Presenter: Larry Aab, Business Services Director.**

Vice-Chair McKeel moved and Commissioner Kafoury seconded approval of R-16.

Mr. Aab asked the Board to consider a revised amount for BudMod MCSO-17 for \$30,000 less, for a total of \$500,000. Chair Cogen asked for a motion to consider a substitution.

Vice-Chair McKeel moved and Commissioner Willer seconded the motion to consider the substituted amount.

Mr. Aab stated that this appropriation will include the costs associated with Facilities Management opening the Wapato Facility to be used for sheltering the many search teams that are assisting with this investigation. He explained that the search for Kyron Horman has occurred so close to the end of the fiscal year that the Sheriff's Office (MCSO) is precluded from making budget adjustments within their current appropriation to manage the costs. The year-end projections show that they are spending close to 100% of FY 2010's appropriation, and the costs of this search could push them over their budget. This contingency, if approved, will be appropriated as a "safety net" to avoid MCSO from violating budget law and overspending their authorized appropriation. The contingency appropriation will be used solely for the costs associated with the search for Kyron, and any unused balance will be returned to the general fund for FY 2011. Mr. Aab responded to Board questions and comments.

The motion to consider the substituted total of \$500,000 was unanimously approved.

BudMod MCSO-17 was unanimously approved as amended.

### **ADJOURNMENT**

There being no further business, the meeting was adjourned at 11:36 a.m.

Submitted by:

Lynda J. Grow, Board Clerk,

Marina Baker, Assistant Board Clerk and

Shirley Luo, Intern

Board of County Commissioners

Multnomah County