

MINUTES & NOTICE OF BOARD ACTION

BOOK 153 PAGE 0550

APPROVED

July 14, 1993



LANE COUNTY BOARD OF COMMISSIONERS

This document, upon approval in a public meeting by the Board of County Commissioners, serves as official minutes of such meetings as required under the Open Meetings Law, ORS 192.650.

Pursuant to notice made by mailing agendas to news media, a selected list of jurisdictions and individuals in Lane County, a meeting of the Board of County Commissioners was held.

Questions should be directed to The Board Office Specialist 3, ext. 4203.

June 23, 1993
Following MWSD

REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

Harris Hall
Main Floor

Chair Steve Cornacchia presided with Ellie Dumdi, Marie Frazier and Jack Roberts present. Jerry Rust excused. Sharon Giles, Recording Secretary.

1. ADJUSTMENTS TO THE AGENDA

It was noted that Items 6.a. and 6.b. would be heard prior to Item 3.a. on the agenda. Two items of emergency business were also identified.

2. PUBLIC COMMENTS

Susan Van, 825 Monroe, #3, Executive Director of Eugene Emergency Housing, commented on the need for evaluation and review of the Youth Development Commission structure and process.

Ann Williams, 705 S. Seneca, commented that she spoke representing the housing programs of St. Vincent de Paul. While recognizing the flaws of the YDC process, she asked the Board not to throw out the proposed allocations of the YDC as some programs are already in place and would be in jeopardy. Roberts stated that he would be recommending a joint meeting between the Board of Commissioners and the Youth Development Commission.

3. PUBLIC HEARING

- a. ORDER 93-6-23-1/In the Matter of Adopting the FY 1993-94 Budget, Making Appropriations and Levying Taxes.

Margo Drivas, Assistant Director of Human Resources and Management Services, noted that the Board Order implemented the decisions made at the June 22 meeting. Van Vactor commented that the Board had received a memo from Peter Thurston regarding the McKenzie Hatchery house and Cornacchia noted that it reflected concurrence with the decisions made on June 22. Van Vactor stated that the budget as outlined would result in approximately 24 layoffs.

Cornacchia opened the Public Hearing. There being no one present who wished to testify, Cornacchia closed the Public Hearing.
MOTION: Approval of the Order. Roberts MOVED, Dumdi SECONDED.
VOTE: 4-0. Roberts commended Van Vactor and Drivas for their efforts and cautioned the public to understand that the County's budget situation was mostly timber-related and not the result of Ballot Measure 5.

- b. ORDER 93-6-23-2/In the Matter of Adopting the 1992-93 Supplemental Budget #2 and Making Appropriations.

Drivas reviewed the material with the Board.

Cornacchia opened the Public Hearing. There being no one present who wished to testify, Cornacchia closed the Public Hearing.
MOTION: Approval of the Order. Roberts MOVED, Dumdi SECONDED.
VOTE: 4-0.

4. COMMISSIONERS' ANNOUNCEMENTS

To be held at approximately 10:40 a.m.

6. YOUTH SERVICES

- a. ORDER 93-6-23-5/In the Matter of Awarding Contracts for \$1,608,919 of Oregon Community Children and Youth Services Commission Funds and Delegating Authority to the County Administrator to Execute Contracts.
i. APPEAL/Centro Latinoamericano

This item was taken out of order.

Craig Campbell, Chair of the Youth Development Commission, presented a historical perspective of this year's awards process. He stated that the YDC had received 135 concept papers totalling over \$8 million, of which 68 bidders with proposals totalling \$4.3 million were asked to complete expanded applications. These expanded applications were reviewed, scored and ranked by the screening committee, who made recommendations which went to public hearing on June 7. Campbell indicated that the YDC adopted the screening committee's recommendations and forwarded them to the Board. He stated that this year there were more applications, many from programs which had already lost funds due to Ballot Measure 5, for less funds. In response to a question from Frazier, Campbell stated that the 800 surveys were sent to their normal mailing list of interested parties, agreeing that it was a selective, not random, list.

Steve Carmichael, Youth Services Director, reviewed the June 10 memorandum/request for information on the role of the Board of Commissioners which he received from Cornacchia, and Carmichael's

June 15 response (see material on file). In summary, the Board members concurred that they could become more actively involved in YDC processes when the annual plan is brought forward, when committee membership vacancies occur and during its budget process. The Board concurred to hold a joint meeting with the YDC and Roberts asked legal counsel to review the membership criteria of the YDC for discussion at the joint meeting. Roberts asked for alternatives rather than acceptance or rejection, which would require that the process be declared invalid and a new RFP process to begin. Teresa Wilson, Acting County Counsel, stated that there is lack of clarity in the RFP appeal rights and remedies.

Henry Luvert, President of the Eugene-Springfield NAACP, spoke on behalf of the Afro-American community with reference to their concern for their youth. He expressed concern over the YDC funding process which must award contracts for which Youth Services programs are applicants, stating it was not fair and results in "stacking the deck". He indicated the numbers of black youth in the juvenile justice system may seem small, but they amount to 19% of the local Afro-American community, noting that the white community would be concerned if 19% of their population were involved. Luvert stated that major recipients of funds who profess to service multi-cultural needs are not networking with minority communities to discover their needs. He emphasized that the YDC should follow up to make sure all funded providers implement the assertions they make on their application and include the communities of color.

Cornacchia thanked Luvert for articulating the concerns and stated that this is the first step to setting policy which will put into effect changes for the next round of grants. He asked that the Board schedule a work session to have a productive meeting with the communities of color in Lane County.

Cornacchia outlined the process to hear the appeal of the Centro LatinoAmericano to be 1) YDC staff would present the issues; 2) the Appellant would have 10 minutes to state their case; 3) the screening spokesperson would have 10 minutes; and 4) then the Board would decide whether to deny the appeal, grant the appeal and direct a new bid process, or direct the committee to rescore the proposals.

Susan Sowards, Youth Development Coordinator, presented an overview of the recent RFP process. She stated that the Screening Committee was chosen by the YDC Chair who was responsible to make sure there were no conflicts of interest with the applicants. The membership of the Screening Committee consists of two YDC members and four lay people who used the criteria outlined in the Board's agenda material. Sowards commented that 27 programs had been recommended for funding, including "Los Ninos" (a program through Centro LatinoAmericano) for \$98,000, which was the fifth largest contract awarded. She noted that the Appeal was based on two grounds: 1)

that a member or members of the screening committee or the YDC had demonstrated bias, and 2) that the evaluation committee had unfairly applied the criteria.

Antonio Sardinia, Executive Director of Centro LatinoAmericano, stressed that a solution to the matter was of great importance. He stated that if the Board of Commissioners cannot defend the process, they cannot defend the result and that his group had not been aware of the "all or nothing" rule regarding starting the entire process over if the appeal was supported. He offered a solution that ten percent of the \$1.6 million (\$160,000) could be set aside for proposals that deal with people of color as that would not delay the other funding and would recognize the error. Roberts inquired whether that money would be garnered by reducing each of the potential contract awards by ten percent, with Cornacchia noting that the CLA concept paper had only requested \$112,000 to start with. Sardinia suggested that perhaps ten percent be dedicated to a new RFP for anyone meeting the criteria to compete. He stressed that the YDC needs funding guidelines in their plan.

Carrie Matsushita spoke on behalf of the Screening Committee. She asserted that the outlined criteria had been applied fairly to all 68 of the expanded applications and no bias was involved. She stated that the committee had gone through a training session and referred to the limited funding available for the many needs outlined. Matsushita indicated that the recommendations from the committee had been unanimous.

Dumdi noted that it would be difficult to change the outcome at this point, but observed the potential for a change in process in the future.

Noting that the process was flawed, Roberts stated that the selection committee members were good, hard-working people and he did not believe they had used bias against any groups. He stressed the need to make every non-profit accessible to everyone, especially non-English speaking. He suggested that the YDC concentrate on contract compliance in the areas of cultural competency.

Citing the many needs and limited funding, Frazier stated she would not be supportive of granting the appeal. She stressed the need for an improved process, including looking at the make-up of the YDC.

Cornacchia remarked that he found no bias in the composition of the committee or the way the criteria was applied. He expressed concern regarding the membership slots on the YDC, noting that some of the biggest recipients sit on the commission. He stressed that the Board of Commissioners needs to take a more active role where appropriate.

MOTION: Deny the appeal of Centro LatinoAmericano. Roberts MOVED, Frazier SECONDED. VOTE: 4-0.

MOTION: Approve the Order awarding contracts. Roberts MOVED, Frazier SECONDED. VOTE: 4-0. Roberts reiterated the need for staff to monitor contracts and for the Board to provide more direction to the YDC in the coming biennium.

This meeting recessed at 11:22 a.m. to reconvene at 11:35 a.m.

4. COMMISSIONERS' ANNOUNCEMENTS

Frazier expressed concern regarding HB 2004, in its 22nd revision, questioning whether the system will be improved or whether a new bureaucracy would be the result. She noted that the Lane County Legislative Committee supports this bill, but she does not. Cornacchia stated that the Lane County support is qualified, noting that items must be changed or Lane County will not be supportive. He suggested that this item be put on the Legislative Committee agenda for June 25.

5. COMMISSIONERS' BUSINESS

- a. ORDER 93-6-23-3/In the Matter of Transfers Between Appropriation Levels, Departments and Funds.

Drivas reviewed this item for the Board. In response to a question from Cornacchia, Drivas clarified the transfers related to SCAR/Jasper Mountain (noting that the dollars had not been received this year) and for HR&MS Fund 18, where the amount appropriated for elections is only what is needed. MOTION: Approval of the Order. Dumdi MOVED, Frazier SECONDED. VOTE: 4-0.

- b. ORAL REPORT/Lane Council Tourism Council.

Frazier gave a brief report, stating that the Council was looking at its membership and composition, looking for more definition of responsibilities and increased productivity.

6. YOUTH SERVICES

- b. ORDER 93-6-23-6/In the Matter of Appointing a Member to the Youth Development Commission.

This item taken out of order.

MOTION: Approval of the Order appointing Luke. Dumdi MOVED, Roberts SECONDED. Frazier stated that she is looking for more practical experience on the Commission. Sowards noted that the balance of the applicants (20) are still in the pool for the next selection process. Frazier expressed the need for a good review of the make-up of the Commission, with Cornacchia asking that these

comments be expressed by Sowards to the Commission members. VOTE:
4-0.

Noting the length of the morning session, Cornacchia indicated that items 5.c., 7.a., 8, 9.a., 9.b. and 11 would be heard in the afternoon session.

5. COMMISSIONERS' BUSINESS

- c. ORDER 93-6-23-4/In the Matter of Designating the use of \$204,500 of Lane County Road Funds for the Construction of a Road and Related Services at the HACSA-Owned Parcel Located at the Corner of Elmira and Bertelsen.

To be heard in the afternoon session.

7. LEGISLATIVE UPDATE

- a. ORAL REPORT

To be heard in the afternoon session.

8. EXECUTIVE SESSION as per ORS 192.660

To be held later in the day.

9. COUNTY ADMINISTRATION

- a. Announcements

- b. ORDER 93-6-23-7/In the Matter of Granting the Acting County Administrator Authority to Execute 1993-94 Agreements for Intergovernmental and Association Dues.

To be heard in the afternoon session.

10. CONSENT CALENDAR

- A. Approval of Minutes: April 14, 1993, Regular Meeting, Following HACSA
April 14, 1993, Regular Meeting, 1:30 p.m.
May 12, 1993, Regular Meeting, Following HACSA
May 12, 1993, Regular Meeting, 1:30 p.m.
June 15, 1993, Regular Meeting, 9:00 a.m.

- B. County Administration

- 1) ORDER 93-6-23-8/In the Matter of Granting the City of Eugene \$38,900 and the City of Springfield \$19,079 from the Increase in Room Tax.

10. CONSENT CALENDAR (Continued)

C. County Counsel

- 1) ORDER 93-6-23-9/In the Matter of Terminating Dissolution Proceedings for Westridge Water District.

D. Health and Human Services

- 1) ORDER 93-6-23-10/In the Matter of Accepting Amendment #40 to the 1991-93 Intergovernmental Agreement #20-001 with the State Mental Health and Developmental Disability Services Division; Appropriating an Additional \$79,237 in Revenues and Expenditures in the Department of Health and Human Services; Delegating Authority to the Acting County Administrator to Sign the Letter of Acceptance and Subcontract Amendments and Authorizing a Refund of \$27,188 to the State Mental Health and Developmental Disability Services Division.
- 2) RESOLUTION AND ORDER 93-6-23-11/In the Matter of Approving a Grant Resolution Increasing Appropriations in the Amount of \$791,112 in Revenues and Expenditures for Mental Health Services, Community Services and Subcontracts in the Department of Health and Human Services.
- 3) RESOLUTION AND ORDER 93-6-23-12/In the Matter of Accepting an Intergovernmental Contract Extension in the Amount of \$27,978 from the City of Eugene for the Community Response Team; and Delegating Authority to the Acting County Administrator to Sign the Contract Extension.
- 4) RESOLUTION AND ORDER 93-6-23-13/In the Matter of Accepting Revenues in the Amount of \$1,038,269 from the Cities of Eugene and Springfield to Manage, Coordinate and Implement the Intergovernmental Human Service Program; to Approve the Intergovernmental Agreement between Lane County and the Cities of Eugene and Springfield; and to Delegate Authority to the Acting County Administrator to Sign the Intergovernmental Agreement and Sub-contracts as Listed in Exhibit A in the Department of Health and Human Services for Fiscal Year 1993/1994.
- 5) RESOLUTION AND ORDER 93-6-23-14/In the Matter of Acceptance of the 1993-95 Intergovernmental Agreement #20-001 in the Amount of \$37,221,403 with the State of Oregon Mental Health and Developmental Disabilities Services Division and Delegating Authority to the Acting County Administrator to Sign the Letter of Acceptance and the Subcontracts as per Exhibit.

10. CONSENT CALENDAR (Continued)

D. Health and Human Services

- 6) RESOLUTION AND ORDER 93-6-23-15/In the Matter of Awarding Subcontract Extension Amendments for Services to Children with Mental Health Problems as per Exhibit A, for the Months of July through September 1993, and Delegating Authority to the Acting County Administrator to Sign the Subcontract Amendments.
- 7) RESOLUTION AND ORDER 93-6-23-16/In the Matter of Accepting the FY 93/95 Intergovernmental Agreement Between the State of Oregon Housing and Community Services Division and Lane County in the Amount of \$1,475,524; to Approve the Program Services Plan; and to Delegate Authority to the Acting County Administrator to Sign the Agreement and Subcontracts Listed in Exhibit A in the Department of Health and Human Services.
- 8) RESOLUTION AND ORDER 93-6-23-17/In the Matter of Delegating Authority to the Acting County Administrator to Sign Three Plan/Amendment Approval Forms (PAAFS) Attached as Exhibit A in Order to Receive Funding from the 1993-95 Intergovernmental Agreement Received from the Oregon Mental Health and Developmental Disabilities Services Division.

E. Human Resources and Management Services

- 1) ORDER 93-6-23-18/In the Matter of Authorizing the Acting County Administrator to Execute a Three-Year Lease Agreement with the Salvation Army as the Lessor, for a 6,900 Square Foot Building which Houses the Residential Corrections Center Administered by Health and Human Services.
- 2) ORDER 93-6-23-19/In the Matter of Authorizing the Acting County Administrator to Execute a Two-Year Lease Agreement with the Lane Council of Governments as Lessee for Office Space Located within the Public Service Building.
- 3) ORDER 93-6-23-20/In the Matter of Readopting Lane Manual 4.020 Relating to Investment Policies.
- 4) ORDER 93-6-23-21/In the Matter of Approving an Intergovernmental Agreement Between Lane County and Lane Council of Governments for Telecommunications System Management for FY 1993-94.

10. CONSENT CALENDAR (Continued)

F. Public Works

- 1) ORDER 93-6-23-22/In the Matter of Awarding a Contract to JAL Construction, Inc., for Grading, Basing, Paving and Structure - Poodle Creek Road Bridge, Br. No. 17-6W-19 at M.P. 1.00, Contract No. 92/93-26.
- 2) ORDER 93-6-23-23/In the Matter of Awarding a Contract to Ground Improvement Techniques, Inc., for the Franklin Landfill Final Closure Cap Project and Authorizing the Acting County Administrator to Execute the Contract.

MOTION: Approval of the Consent Calendar. Dumdi MOVED, Frazier SECONDED.
VOTE: 4-0.

11. EMERGENCY BUSINESS

To be held in the afternoon session.

There being no further business, this meeting adjourned at 11:53 a.m.


Sharon Giles
Recording Secretary