



BOARD OF COMMISSIONERS

1300 NW Wall Street, Bend, Oregon
(541) 388-6570

FOR RECORDING STAMP ONLY

BOCC MEETING MINUTES

9:00 AM

WEDNESDAY December 7, 2022

Barnes Sawyer Rooms
Live Streamed Video

Present were Commissioners Patti Adair, Anthony DeBone (via Zoom), and Phil Chang. Also present were Nick Lelack, County Administrator; Kim Riley, Assistant County Counsel; and Brenda Fritsvold, BOCC Executive Assistant.

This meeting was audio and video recorded and can be accessed at the Deschutes County Meeting Portal website www.deschutes.org/meetings

CALL TO ORDER: Chair Adair called the meeting to order at 9:00 a.m.

Chair Adair acknowledged the 81st anniversary of Pearl Harbor this day, and further recognized her former college professor, Professor Dulles, for his service in World War II.

Commissioner Chang expressed gratitude for the United State's entry into the Pacific theatre as this enabled his family to survive Japan's invasion of China.

PLEDGE OF ALLEGIANCE

CITIZEN INPUT:

Chair Adair acknowledged the receipt of one citizen input email supporting the preservation of Worrell Wayside Park and one citizen input email supporting psilocybin service centers in destination resorts.

Ron Boozell questioned what the non-partisan County Board of Commissioners will look like upon its implementation.

CONSENT AGENDA: Before the Board was Consideration of the Consent Agenda.

CHANG: Move Board approval of Consent Agenda
DEBONE: Second

VOTE: CHANG: Yes
DEBONE: Yes
ADAIR: Chair votes yes. Motion Carried

1. Consideration of Board Signature on Letter of Thanks to Al Dertinger for service on the Deschutes County Facility Project Review Committee
2. Consideration of Board Signature on letter reappointing Judy Trego for service on the Deschutes County Budget Committee, the 9-1-1 County Service District Budget Committee, the Countywide Law Enforcement District #1 Budget Committee and the Rural Law Enforcement District #2 Budget Committee
3. Consideration of Board Signature on letters appointing Eric Yates, Don Selsor and Kelly Winch to the Spring River Special Road District
4. Consideration of Board Signature on Letter of Thanks to Carl Jansen for service on the Spring River Special Road District
5. Consideration of Board Signature on letter reappointing Gil Levy for service on the Deschutes County Public Safety Coordinating Council

Commissioner Chang thanked Judy Trego for serving on the Budget Committee.

ACTION ITEMS:

6. SunWest Builders Guaranteed Maximum Price Amendment No. 2 to Contract No. 2022-197

Lee Randall, Facilities Director, described the proposed amendments to contracts with SunWest Builders for the remodel of 236 Kingwood in Redmond. The original project budget was based on early conceptual cost estimates; the amendments reflect updated costs totaling a revised guaranteed maximum price of \$2.6 million. This amount includes \$716,809 for construction of the 9-1-1

backup dispatch center on the second floor of the building. Randall shared that the goal is to begin work as early as next week.

Commissioner Adair asked to know the amount of the increase as a percentage. Randall replied it is between six and eight percent.

Commissioner DeBone appreciated the cooperation demonstrated by all parties to enable moving forward, despite the cost increase. Commissioner Chang agreed that this project is very important for the 9-1-1 division and to facilitate improved delivery of health services.

CHANG: Move approval of Board Signature of Document No. 2022-957 amending Deschutes County Contract No. 2022-197 and also amending Document No. 2022-790 with SunWest Builders for the remodel of 236 Kingwood in Redmond

DEBONE: Second

VOTE: CHANG: Yes
DEBONE: Yes
ADAIR: Chair votes yes. Motion Carried

7. Bend Downtown Campus Parking Analysis

Lee Randall, Facilities Director, summarized the history of work done since 2019 to prepare for future downtown campus parking needs which are anticipated due to growth and the planned expansion of the Deschutes County Courthouse. One possibility involved redeveloping Worrell Park to add parking spaces; before committing to this option, the Board directed staff to provide an analysis of current parking usage and capacity.

In conducting the required analysis, HHPR, Inc. a civil engineering firm, focused on eight buildings which are occupied by a variety of departments and offices. The study sought to determine if capacity exists to support the planned courthouse expansion and if any of the current parking configurations can be modified to gain efficiencies.

Nicolas Speros from HHPR and Joe Bessman from Transight Consulting presented the results of the parking analysis which detailed parking supply and demand according to several uses: permit parking, fleet parking, general, and visitor only. The analysis documented how parking capacity changes by the hour over the course of a normal workday and confirmed the effect which hybrid work schedules and remote attendance at meetings and hearings has had on reducing parking demand since the 2019 study. The analysis concluded that the

current parking supply along with improved efficiency measures can support the planned expansion of the courthouse, and no significant modifications to Worrell Park are needed at this time.

Commissioner Adair was happy to learn that Worrell Park will not be needed or used for parking. She suggested that some of the surface parking by the medical facility could be used for a new building having four levels of condos for workforce housing above a two-story parking garage. Bessman said one distinct advantage of this would be that overnight parking is peak demand for residential use, which is the opposite of office parking.

Commissioner DeBone appreciated the analysis, commented on commuting options such as rideshares, and said jurors are not always aware of where they can park.

Randall asked for direction from the Board on five specific items to direct future work on this subject. The Board was in consensus to direct proceeding with the following four items:

- Review the campus parking policy and signage to ensure messaging is clear and intuitive;
- Provide accessible routes and wayfinding for staff and visitors;
- Improve parking management and enforcement to ensure that parking is appropriately prioritized for campus users; and
- Explore Transportation Demand Management options and strategies to increase walking, biking, and transit use and reduce single-occupant vehicle trips and parking demand.

Staff will return in a few weeks with specifics on the recommendation to “Assess future growth needs and parking allocation priorities, and identify and plan for mid-term options to increase capacity.”

Commissioner Adair reiterated her support for exploring the use of county-owned property for workforce housing.

Commissioner Chang explained that his decision to investigate how Worrell Park could be redeveloped to add parking spaces was based on the 2019 parking analysis. He acknowledged the tremendous concern voiced by many about using any portion of the park for parking, which resulted in the Board directing the second, updated parking analysis.

8. Courthouse Progress Update and Schematic Design Options

Lee Randall, Facilities Director, introduced Presiding Judge Wills Ashby and others in attendance to present information or answer questions on this matter.

Wayne Powderly from Cummings Management Group provided an overview of the courthouse expansion project and the progress made to date. He said when designing the expanded facility, a key factor is to separate the inbound and outbound paths of the public, judges, and persons in custody. He explained the proposal for how to configure building access points and elevators to achieve this separation.

Commissioner Chang asked how much it would cost to include a 4th floor shell now versus add a 4th floor later. Powderly responded that, roughly projected, this would cost half as much now as to add on in five or six years.

Commissioner Chang wondered if other entities or organizations which are performing critical services related to court operations could use the shelled-out space until the court needed it. Agreeing that this is one option, Randall said the County is currently operating at a space deficit and the approximately 10,000 sf of usable space in a shelled-out 4th floor could also be used to address those needs.

Judge Ashby said the Court would be open to Commissioner Chang's idea of leasing the space to outside entities if security could be assured.

Powderly described the two development options presented for the Board's consideration and selection:

- Option #1: Basement, 1st, 2nd floors fitted out, with 3rd floor shell for future expansion. Cost estimate: \$40 million;
- Option #2: Basement, 1st, 2nd floors fitted out, with 3rd and 4th floor shells for future expansion. Cost estimate: \$44.5 million.

Powderly concluded that this project could be put out to bid next summer.

Commissioner Adair noted that the cost estimate for 53,000 sf is about \$700/sf. Mike Gorman from LRS Architects said including a 4th floor would bring the per-square foot cost down to \$635.

Commissioner DeBone supported constructing a 4th floor at this time, since this will be needed later. He noted that the County will seek a capital funding contribution from the legislature for this project.

Commissioner Chang concurred that Option 2 is the more cost-effective choice.

Commissioner Adair said she would not want the 4th floor to go unutilized.

CHANG: Move approval of programming Option 2 to proceed with incorporating design elements of a fitted-out basement and 1st and 2nd floors, and with 3rd and 4th floor shells for future expansion at an estimated cost of \$44.5 million

DEBONE: Second

VOTE: DEBONE: Yes
CHANG: Yes
Chair votes yes. Motion carried

9. Notice of Intent to Award Contract to Oregon Beverage Service

Geoff Hinds, Fair & Expo Director, explained the transition from the Fair & Expo managing its own food and beverage services internally to contracting for the management of these services with an outside vendor. An RFP was issued, and one response received.

Commissioner DeBone sought assurance that the Fair will have flexibility as far as what specific products are offered. Hinds said the contract will not place any restrictions on what products are made available for sale, and local as well as national brands can both be sold.

Commissioner Adair said vendors who sell alcohol should also offer non-alcoholic beverages such as water. Hinds agreed this should be standard practice.

CHANG: Move approval of Chair Signature on Document No. 2022-960, Notice of Intent to Award a contract to Oregon Beverage Service for alcohol beverage sales management at the Deschutes County Fair & Expo

DEBONE: Second

VOTE: DEBONE: Yes
CHANG: Yes
Chair votes yes. Motion carried

10. FY 2023 Video Lottery Fund Allocations: United Way

Stephanie Robinson, Grants and Operations Specialist, reviewed the Board's request to receive more information from United Way on its emergency food, clothing and shelter program.

Whitney Swander, Interim Executive Director of United Way Central Oregon, listed examples of programs funded by United Way with the grant monies received from the County and other sources. These include organizations such as the Assistance League of Bend, the La Pine Community Kitchen, Jericho Road of Redmond and St. Vincent de Paul.

Commissioner Adair appreciated that United Way spends just 2% of its grant funds on administrative costs.

CHANG: Move approval of a grant of video lottery funds to United Way in the amount of \$80,000 for emergency food, clothing and shelter

DEBONE: Second

VOTE: DEBONE: Yes
CHANG: Yes
Chair votes yes. Motion carried

11. Request approval to accept COHC Grant to purchase a Mobile Outreach Van

Anne Kilty, Manager of Clinical Services, explained that this purchase will allow Health Services to offer a low-cost, bilingual mobile clinic program which will extend WIC and other public health services to the County's rural and vulnerable populations. The goal is to begin operations by July 1st.

DEBONE: Move approval to accept a grant from COHC in the amount of \$80,000 for the purchase of a mobile outreach van

CHANG: Second

VOTE: DEBONE: Yes
CHANG: Yes
Chair votes yes. Motion carried

DEBONE: Move approval of Order No. 2022- 069, designating signing authority to Anne Kilty for accepting the grant

CHANG: Second

VOTE: DEBONE: Yes
CHANG: Yes
Chair votes yes. Motion carried

12. Request approval for extension of 7 limited duration Covid-19 positions and one new position to continue Covid-19 recovery step down

Janice Garceau, Director of Health Services, introduced the request to use \$574,696 of ARPA reserves to continue Covid-19 recovery efforts while stepping down staffing over the next two years.

Emily Horton, Public Health Program Manager, described the plan to reorganize the Covid-19 unit and reduce its staffing over time from 16 full time equivalent limited term positions to eight, then six, then one. The new position would be a Public Health Educator who would focus on community outreach efforts.

Commissioner Chang said it is important to have sufficient staff available to manage temporary employees and volunteers as those are needed for various programs and projects.

DEBONE: Move approval of acceptance of \$574,696 from ARPA reserves for the purposes of Covid-19 recovery within the Health Services department

CHANG: Second

VOTE: DEBONE: Yes
CHANG: Yes
Chair votes yes. Motion carried

DEBONE: Move approval of Resolution No. 2022-076 to extend seven limited duration positions (LTD) and create one new LTD Public Health Educator I position within the Health Services Fund

CHANG: Second

VOTE: DEBONE: Yes
CHANG: Yes
Chair votes yes. Motion carried

13. Agreement with Noble 911 for 9-1-1 Phone System Upgrade

At 11:55 am, the Board convened as the governing board for Deschutes County 9-1-1.

Sara Crosswhite, Director of Deschutes County 9-1-1, said the 9-1-1 phone system upgrade will include new hardware and software, all required installation services and ongoing support. A back-up center will also be added for redundancy.

CHANG: Move approval of Chair signature of Document No. 2022-948, agreement with Noble 911 for upgrades to the County's 9-1-1 phone system

DEBONE: Second

VOTE: DEBONE: Yes
CHANG: Yes
Chair votes yes. Motion carried

At 12:00 noon, the Board reconvened as the governing board for Deschutes County.

14. Public Hearing and Resolution amending the Deschutes County Fee Schedule to adopt revised FY 2023 Health Services fees

Cheryl Smallman, Health Services Business Officer, explained that the Center for Medicaid Services approved rate increases for certain behavioral health services. Health Services cannot charge or seek reimbursement for these larger amounts unless they are first adopted in the County's Fee Schedule.

The public hearing on changes to the Fee Schedule was opened at 12:04 pm.

There being no one who wished to speak, Chair Adair closed the public hearing at 12:04 pm.

DEBONE: Move approval of Resolution 2022-078 to amend the FY 2023 Deschutes County Fee Schedule and adopt the revised FY 2023 Health Services Fees

CHANG: Second

VOTE: DEBONE: Yes
CHANG: Yes
Chair votes yes. Motion carried

15. Consideration of Document 2022-973, an Intergovernmental Agreement establishing a Coordinated Office on Houselessness

Erik Kropp, Deputy County Administrator, presented a proposed Intergovernmental Agreement (IGA) establishing a Coordinated Office on Houselessness. The IGA has been approved by each of the four cities in the county.

CHANG: Move approval of Document 2022-973, an Intergovernmental Agreement establishing a Coordinated Office on Houselessness

DEBONE: Second

VOTE: DEBONE: Yes
CHANG: Yes
Chair votes yes. Motion carried

16. Consideration of Resolution No. 2022-069, Regarding Right-of-Way Acquisitions for the US97: Lower Bridge Way-NW 10th St project in Terrebonne

Cody Smith, County Engineer, described the right-of-way acquisitions needed for the Lower Bridge Way project which is a partnership between the State and Deschutes County. ODOT will negotiate with the property owners and pay all associated costs of acquiring the rights-of-way.

CHANG: Move approval of Resolution No. 2022-069 to acquire right-of-way for the construction of road improvements on Lower Bridge Way, 11th Street, Smith Rock Way, Central Avenue, A Avenue, B Avenue, C Avenue, E Avenue, and H Avenue

DEBONE: Second

VOTE: DEBONE: Yes
CHANG: Yes
Chair votes yes. Motion carried

OTHER ITEMS:

- Commissioners DeBone and Chang announced they will attend the 20th Annual Oregon Leadership Summit in Portland on Monday.
- Whitney Hale, Deputy County Administrator, reported that the organizers of the Central Oregon legislative summit on December 16th asked if one of the Commissioners cares to participate in a panel event that afternoon. The Board was in consensus to accept Chair Adair's offer to fulfill this role.

At 12:40 pm, the meeting was recessed for a short break.

The meeting reconvened at 12:44 pm.

EXECUTIVE SESSIONS:

At 12:44 p.m., the Board went into Executive Session under ORS 192.660 (2) (e) Real Property Negotiations. The Board moved out of executive session at 12:53 p.m. to direct staff to proceed as discussed.


At 12:53 p.m., the Board went into Executive Session under ORS 192.660 (2) (e) Real Property Negotiations. The Board moved out of executive session at 1:14 p.m. to direct staff to proceed as discussed.

ADJOURN:

Being no further items to come before the Board, the meeting was adjourned at 1:15 p.m.

DATED this 7th Day of December 2022 for the Deschutes County Board of Commissioners.


PATTI ADAIR, CHAIR


ANTHONY DEBONE, VICE CHAIR

ATTEST:


RECORDING SECRETARY


PHIL CHANG, COMMISSIONER