

ANNOTATED MINUTES

Tuesday, November 21, 1995 - 9:30 AM
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland

REGULAR MEETING

Chair Beverly Stein convened the meeting at 9:30 a.m., with Vice-Chair Sharron Kelley, Commissioners Gary Hansen, Tanya Collier and Dan Saltzman present.

CONSENT CALENDAR

***UPON MOTION OF COMMISSIONER KELLEY,
SECONDED BY COMMISSIONER HANSEN,
CONSENT CALENDAR ITEMS C-1, C-2 AND C-4
THROUGH C-8 WERE UNANIMOUSLY APPROVED.***

NON-DEPARTMENTAL

- C-1 Appointment of SUSAN OLIVER to the COMMUNITY AND FAMILY SERVICES CITIZEN BUDGET ADVISORY COMMITTEE
- C-2 Re-Appointment of KATHLEEN TODD to the NON-DEPARTMENTAL CITIZEN BUDGET ADVISORY COMMITTEE

DEPARTMENT OF ENVIRONMENTAL SERVICES

- C-4 CU 8-95 Hearings Officer Decision Approving Conditional Use Request for a Single Family Dwelling Not Related to Forest Management in the Commercial Forest Use Zoning District, for Property Located at 13838 NW ROCK CREEK ROAD
- C-5 ORDER Authorizing Execution of Deed D961263 Upon Complete Performance of a Contract to Virginia M. Belozer

ORDER 95-237.

DEPARTMENT OF JUVENILE JUSTICE SERVICES

- C-6 Intergovernmental Revenue Agreement 700216 with Children's Services Division Funding Catherine Freer Wilderness Therapy Expedition Services for a Gang Involved Youth
- C-7 Budget Modification DJJS 5 Adding \$2,860 State Children's Services Division Revenue to the Office of Program Development Budget to Fund Catherine Freer Wilderness Therapy Services for a Gang Involved Youth

SHERIFF'S OFFICE

- C-8 Dispenser Class A Liquor License Renewal for CRACKER BARREL GROCERY, 15005 NW SAUVIE ISLAND ROAD, PORTLAND

NON-DEPARTMENTAL

- C-3 Re-Appointment of WINZEL HAMILTON to the DISTRICT ATTORNEY CITIZEN BUDGET ADVISORY COMMITTEE

APPOINTMENT WITHDRAWN AT APPLICANT'S REQUEST.

REGULAR AGENDA

PUBLIC COMMENT

- R-1 Opportunity for Public Comment on Non-Agenda Matters. Testimony Limited to Three Minutes Per Person.

NO ONE WISHED TO COMMENT.

NON-DEPARTMENTAL

- R-2 ORDER in the Matter of the Appeal of Robert W. Burnell from the Hearings Officer's Order Denying an Application for Approval of an Adult Care Home Resident Manager

COMMISSIONER COLLIER MOVED AND COMMISSIONER SALTZMAN SECONDED, MOTION TO UPHOLD THE HEARINGS OFFICER ORDER. ATTORNEY PETE KASTING EXPLANATION. COMMISSIONER HANSEN COMMENTS IN SUPPORT OF REVISITING THE ADMINISTRATIVE

RULES. COMMISSIONER KELLEY COMMENTS IN SUPPORT OF REMANDING APPEAL BACK TO THE HEARINGS OFFICER OR DIRECTING STAFF TO REVISIT THE ADMINISTRATIVE RULES. COMMISSIONER SALTZMAN COMMENTS IN SUPPORT OF HEARINGS OFFICER DECISION. CHAIR STEIN ADVISED SHE SUPPORTS THE HEARINGS OFFICER DECISION BUT WOULD BE HAPPY TO WRITE TO THE DEPARTMENT REGARDING REVISING THE ADMINISTRATIVE RULES. ORDER 95-238 APPROVED, WITH COMMISSIONERS COLLIER, SALTZMAN AND STEIN VOTING AYE, AND COMMISSIONERS KELLEY AND HANSEN VOTING NO.

- R-3 RESOLUTION Approving Multnomah County's Application for SB 1145 Construction Funds and Public Safety Strategy**

COMMISSIONER SALTZMAN MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF R-3. BILL FARVER AND PETER OZANNE EXPLANATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION REGARDING SUBSTITUTE RESOLUTION CONTAINING A NEW APPENDIX AND UPDATED NUMBERS, (CONSTRUCTION COSTS \$43.4 MILLION INSTEAD OF \$47 MILLION) AND CERTAIN NON-SUBSTANTIVE LANGUAGE CLARIFICATIONS. DAN NOELLE AND TAMARA HOLDEN COMMENTS IN SUPPORT. RAY MATHIS ON BEHALF OF CITIZEN CRIME COMMISSION, TESTIMONY IN SUPPORT. LISA HORNE ON BEHALF OF THE CHIEF'S FORUM, TESTIMONY IN SUPPORT. BOARD COMMENTS IN SUPPORT. COMMISSIONERS SALTZMAN AND COLLIER WITHDREW THEIR PREVIOUS MOTION AND SECOND, AND UPON MOTION OF COMMISSIONER SALTZMAN, SECONDED BY COMMISSIONER COLLIER, SUBSTITUTE RESOLUTION 95-239 WAS UNANIMOUSLY APPROVED.

CHAIR STEIN ANNOUNCED THAT COMMISSIONER GARY HANSEN WAS APPOINTED

***SECOND VICE-PRESIDENT OF THE ASSOCIATION
OF OREGON COUNTIES.***

- R-4 RESOLUTION Approving the Amended Comprehensive Plan of the Multnomah Commission on Children and Families for 1995-1997

***COMMISSIONER SALTZMAN MOVED AND
COMMISSIONER KELLEY SECONDED, APPROVAL
OF R-4. CAROL WIRE EXPLANATION AND
RESPONSE TO BOARD QUESTION. RESOLUTION
95-240 UNANIMOUSLY APPROVED.***

- R-5 First Reading of an ORDINANCE Amending Ordinance No. 822, in Order to Add, Delete and Revise Exempt Pay Ranges and Titles

***ORDINANCE READ BY TITLE ONLY. COPIES
AVAILABLE. COMMISSIONER COLLIER MOVED
AND COMMISSIONER HANSEN SECONDED,
APPROVAL OF FIRST READING. CURTIS SMITH
EXPLANATION. NO ONE WISHED TO TESTIFY.
FIRST READING UNANIMOUSLY APPROVED.
SECOND READING THURSDAY, NOVEMBER 30,
1995.***

- R-6 First Reading of an ORDINANCE Amending MCC Chapter 2.30 (County Administrative Departments) in Order to More Efficiently Align Departmental Responsibilities; Creating the Department of Management Support Services

***ORDINANCE READ BY TITLE ONLY. COPIES
AVAILABLE. COMMISSIONER HANSEN MOVED
AND COMMISSIONER KELLEY SECONDED,
APPROVAL OF FIRST READING. COMMISSIONER
HANSEN MOVED AND COMMISSIONER KELLEY
SECONDED, AMENDMENT TO CHANGE THE
NAME OF THE NEW DEPARTMENT TO THE
DEPARTMENT OF SUPPORT SERVICES. BILL
FARVER EXPLANATION AND RESPONSE TO
BOARD QUESTIONS AND DISCUSSION. BOARD
COMMENTS REGARDING PARKS, EXPO, BUDGET
OFFICE AND EMERGENCY MANAGEMENT
SERVICES. NO ONE WISHED TO TESTIFY. FIRST
READING UNANIMOUSLY APPROVED, AS***

**AMENDED. SECOND READING THURSDAY,
NOVEMBER 30, 1995.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

- R-7 Budget Modification DES 4 Authorizing Transfer from DES to MSS Budgets to Create Positions of Manager of Information Technology and Department of Management Support Services Director; Funding Management Assistant and Administrative Secretary Positions; and Purchase Computers and Other Materials and Services, Using Salary Savings and Existing Funds

***COMMISSIONER KELLEY MOVED AND
COMMISSIONER SALTZMAN SECONDED,
APPROVAL OF R-7. BILL FARVER EXPLANATION.
BUDGET MODIFICATION UNANIMOUSLY
APPROVED.***

- R-8 ORDER Authorizing Road Drainage Maintenance of SW Collina Avenue at SW Carey Lane and SW Radcliffe Road, and SW Hedlund Avenue Between SW Carey Lane and SW Riverdale Road, Local Access Roads in Unincorporated Multnomah County

***COMMISSIONER SALTZMAN MOVED AND
COMMISSIONER KELLEY SECONDED, APPROVAL
OF R-8. CHUCK HENLEY EXPLANATION. ORDER
95-241 UNANIMOUSLY APPROVED.***

- R-9 ORDER Authorizing Execution and Acceptance of Deed of Dedication and Easements for Public Road Purposes and for a Storm Drainage Facility [Portions of NE Blue Lake Road and NE 223rd Avenue]

***COMMISSIONER KELLEY MOVED AND
COMMISSIONER COLLIER SECONDED, APPROVAL
OF R-9. JOHN DORST EXPLANATION. ORDER 95-
242 UNANIMOUSLY APPROVED.***

DEPARTMENT OF HEALTH

- R-10 Notice of Intent to Submit a Request for Funding to Local Corporations for the Students Today Aren't Ready for Sex (STARS) Postponing Sexual Involvement (PSI) Statewide Training and Evaluation Project

COMMISSIONER COLLIER MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-10. TOM FRONK AND BARBARA GLICK EXPLANATION AND COMMENTS IN SUPPORT. JUDY STRAALSUND TESTIMONY IN SUPPORT. MR. FRONK RESPONSE TO QUESTION OF COMMISSIONER SALTZMAN REGARDING CORPORATE SPONSORS AND PROJECT LOGO. NOTICE OF INTENT UNANIMOUSLY APPROVED.

- R-11 Intergovernmental Agreement 201196 with the City of Portland for Enforcement of Multnomah County Code 6.33 Regarding Ambulance/Emergency Medical Service within the City

COMMISSIONER SALTZMAN MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF R-11. MATT RYAN EXPLANATION. AGREEMENT UNANIMOUSLY APPROVED.

PUBLIC CONTRACT REVIEW BOARD

(Recess as the Board of County Commissioners and convene as the Public Contract Review Board)

- R-12 ORDER Authorizing Exemption to Contract with Metro Community Development Corporation to Fund Weatherization Activities at Two Multi-Unit Housing Complexes to be Converted to Low Income Housing

COMMISSIONER HANSEN MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF R-12. REY ESPAÑA EXPLANATION. ORDER 95-243 UNANIMOUSLY APPROVED.

(Adjourn as the Public Contract Review Board and convene as the Budget Committee)

BUDGET COMMITTEE

(Recess as the Board of County Commissioners and convene as the Budget Committee)

- R-13 RESOLUTION Accepting the 1995-96 Supplemental Budget and Preparing the Approved Supplemental Budget for Submittal to the Tax Supervising and Conservation Commission

COMMISSIONER HANSEN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-13. DAVE WARREN, GINNIE COOPER, CRAIG CALKINS AND AMY JOSLIN PRESENTATION, EXPLANATION AND RESPONSE TO BOARD QUESTIONS. RESOLUTION 95-244 UNANIMOUSLY APPROVED.

(Adjourn as the Budget Committee and reconvene as the Board of County Commissioners)

The regular meeting was adjourned at 10:55 am and the briefing convened at 11:00 am.

Tuesday, November 21, 1995 - 11:00 AM
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BOARD BRIEFING

- B-1 Patterns of Growth Inside and Outside the Urban Growth Boundary, and How that Growth is Reflected in the Housing Market. Presented by Pat Ritz of Oregon Title.

COMMISSIONER SALTZMAN, MINDY SULLIVAN, PAT RITZ AND DAVID BELL PRESENTATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION.

Commissioner Collier was excused at 11:45 a.m.

Chair Stein was excused at 11:58 a.m.

There being no further business, the meeting was adjourned at 12:08 p.m.

Tuesday, November 21, 1995 - 1:30 PM
Multnomah County Courthouse, Room 602
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APPEAL HEARING

Chair Beverly Stein convened the meeting at 1:32 p.m., with Vice-Chair Sharron Kelley, Commissioners Gary Hansen, Tanya Collier and Dan Saltzman present.

- H-1 Review of the Merit System Civil Service Council Decision in the Matter of the Appeal of James Gerhardt, Robert O'Donnell and Scott Rayfield

BOARD ATTORNEY ANNA KANWIT EXPLAINED PROCESS. COUNTY COUNSEL STEVE NEMIROW PRESENTATION ON BEHALF OF EMPLOYEE SERVICES. JAMES GERHARDT, BOB O'DONNELL AND SCOTT RAYFIELD TESTIMONY IN OPPOSITION TO COUNCIL DECISION. MR. RAYFIELD RESPONSE TO A QUESTION OF COMMISSIONER SALTZMAN REGARDING PROMOTION LIST. MR. NEMIROW RESPONSE TO BOARD QUESTIONS AND DISCUSSION ON RULES REGARDING TIMELINE FOR PROMOTION LIST. MS. KANWIT RESPONSE TO BOARD QUESTIONS AND DISCUSSION ON BOARD OPTIONS TO UPHOLD, OVERTURN, OR REMAND THE COUNCIL DECISION. COMMISSIONER COLLIER MOVED, SECONDED BY COMMISSIONER HANSEN, UPHOLD THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER OF THE MERIT COUNCIL SYSTEM CIVIL SERVICE. CHAIR STEIN COMMENTS IN OPPOSITION TO MOTION. COMMISSIONERS COLLIER AND SALTZMAN COMMENTS IN SUPPORT OF MOTION. COMMISSIONER KELLEY COMMENTS IN OPPOSITION TO MOTION. FOLLOWING DISCUSSION, COMMISSIONER COLLIER MOVED, SECONDED BY COMMISSIONER HANSEN, MOTION IN SUPPORT OF THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER OF THE MERIT SYSTEM CIVIL SERVICE COUNCIL.

**FOLLOWING BOARD COMMENTS, MOTION
APPROVED, WITH COMMISSIONERS HANSEN,
COLLIER AND SALTZMAN VOTING AYE, AND
COMMISSIONERS KELLEY AND STEIN VOTING
NO.**

*There being no further business, the hearing was adjourned at 2:25 p.m. and
the briefing convened at 2:26 p.m.*

Tuesday, November 21, 1995 - 2:30 PM
(OR IMMEDIATELY FOLLOWING APPEAL HEARING)
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BOARD BRIEFING

- B-2 Update on the Activities of the Housing Authority of Portland, Expected Impacts of Federal Funding and Regulatory Changes, and Potential Opportunities for Cooperative Efforts with Multnomah County. Presented by Howard Shapiro, Housing Authority Board Chair.

**COMMISSIONER SALTZMAN, HOWARD SHAPIRO,
DENNY WEST AND HELEN BIRNEY
PRESENTATION AND RESPONSE TO BOARD
QUESTIONS AND DISCUSSION.**

There being no further business, the meeting was adjourned at 3:11 p.m.

OFFICE OF THE BOARD CLERK
FOR MULTNOMAH COUNTY, OREGON

Deborah L. Bogstad

Deborah L. Bogstad