

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

**Thursday, August 10, 2006 - 9:00 AM**

Multnomah Building, First Floor Commissioners Conference Room 112  
501 SE Hawthorne Boulevard, Portland

**EXECUTIVE SESSION**

Chair Diane Linn convened the meeting at 9:03 a.m., with Commissioners Lisa Naito and Serena Cruz Walsh present, Vice-Chair Lonnie Roberts arriving at 9:05 a.m. and Commissioner Maria Rojo de Steffey arriving at 9:07 a.m.

**E-1 The Multnomah County Board of Commissioners will meet in Executive Session Pursuant to ORS 192.660(2)(h). Only Representatives of the News Media and Designated Staff are allowed to attend. News Media and All Other Attendees are Specifically Directed Not to Disclose Information that is the Subject of the Session. No Final Decision will be made in the Session. Presented by John Thomas.**

EXECUTIVE SESSION WAS HELD.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 9:29 a.m.

---

**Thursday, August 10, 2006 - 9:30 AM**

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

**REGULAR MEETING**

Chair Diane Linn convened the meeting at 9:31 a.m., with Vice-Chair Lonnie Roberts and Commissioners Lisa Naito, Serena Cruz Walsh and Maria Rojo de Steffey present.

**CONSENT CALENDAR**

UPON MOTION OF COMMISSIONER ROBERTS, SECONDED BY COMMISSIONER CRUZ, THE CONSENT CALENDAR (ITEM C-1) WAS UNANIMOUSLY APPROVED.

C-1 RESOLUTION Authorizing Cancellation of Uncollectible Personal Property Taxes for Tax Years 1994/05 through 2005/06

RESOLUTION 06-140

**REGULAR AGENDA**  
**PUBLIC COMMENT**

Public testimony was made and received for the record.

**R-1 RESOLUTION Approving Reimbursement to the County for County Sponsored Projects from Title III Funding for Fiscal Year 2006 and Authorizing Expenditures for Fiscal Year 2007**

COMMISSIONER NAITO MOVED AND COMMISSIONER ROJO SECONDED, APPROVAL OF SUBSTITUTE RESOLUTION. BOB THOMAS EXPLANATION. COMMISSIONER NAITO COMMENDED MR. THOMAS FOR HIS EFFORTS. RESOLUTION 06-141 UNANIMOUSLY ADOPTED.

**R-2 Budget Modification DCM-01 Authorizing Reclassification of Positions in Central Procurement and Contract Administration, General Ledger, and Information Technology, as Determined by the Class/Comp Unit of Central Human Resources**

COMMISSIONER ROBERTS MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF R-2. BOB THOMAS EXPLANATION. BUDGET MODIFICATION UNANIMOUSLY APPROVED.

**R-3 NOTICE OF INTENT to Submit a Proposal to the Robert Wood Johnson Foundation Common Ground: Transforming Public Health Information Systems – Informatics Capacity Grant Competition**

COMMISSIONER CRUZ MOVED AND COMMISSIONER NAITO SECONDED, APPROVAL OF R-3. AMY SULLIVAN EXPLANATION. NOTICE OF INTENT UNANIMOUSLY APPROVED.

**R-4 Budget Modification LIB-02 Appropriating \$1,292,310 of Revenues from The Library Foundation to the Library Fund for Program and Collection Enhancements**

COMMISSIONER ROBERTS MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF R-4. MOLLY RAPHAEL EXPLANATION. CHAIR LINN COMMENTS IN SUPPORT. BUDGET MODIFICATION UNANIMOUSLY APPROVED.

**R-5 Budget Modification DCHS-03 Reclassifying an Office Assistant 2 to Office Assistant Senior in the Aging and Disability Services Division, Administration Program, as Determined by the Class/Comp Unit of Central Human Resources**

COMMISSIONER ROBERTS MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF R-5. DANA LLOYD EXPLANATION. BUDGET MODIFICATION UNANIMOUSLY APPROVED.

**R-6 Budget Modification DCJ-03 Appropriating \$283,543 in State of Oregon Criminal Justice Commission Grant Funds to Provide Program Enhancement for the Sanction Treatment Opportunity Progress (STOP) Drug Court**

COMMISSIONER CRUZ MOVED AND COMMISSIONER NAITO SECONDED, APPROVAL OF R-6. KATHLEEN TREB EXPLANATION. BUDGET MODIFICATION UNANIMOUSLY APPROVED.

**R-7 Budget Modification DCJ-04 Appropriating \$7,471 from the Oregon Department of Human Services for Treatment at DCJ's Juvenile Secure Residential Alcohol and Drug Treatment Unit (RAD)**

COMMISSIONER ROJO MOVED AND COMMISSIONER ROBERTS SECONDED, APPROVAL OF R-7. KATHLEEN TREB AND THUY VANDERLINE EXPLANATION AND RESPONSE TO QUESTIONS OF CHAIR LINN AND COMMISSIONER CRUZ. CHAIR LINN COMMENTS IN SUPPORT. BUDGET MODIFICATION UNANIMOUSLY APPROVED.

**R-8 RESOLUTION Approving a Lease of Additional Space at 421 SW Oak Street, Portland, Oregon**

AT THE REQUEST OF THE DEPARTMENT AND UPON MOTION OF COMMISSIONER CRUZ, SECONDED BY COMMISSIONER NAITO, R-8 WAS UNANIMOUSLY POSTPONED INDEFINITELY.

**R-9 RESOLUTION Declaring a Portion of the Edgefield Property Located at 1906 SW Halsey Street, Troutdale, Oregon as Surplus Property and Approving an Easement Agreement with Michael McMenamin**

COMMISSIONER ROBERTS MOVED AND COMMISSIONER ROJO SECONDED, APPROVAL OF R-9. DOUG BUTLER AND MIKE SUBLETT EXPLANATION AND RESPONSE TO QUESTIONS OF COMMISSIONER CRUZ REGARDING SALE PROCESS AND STATUS OF THE FINAL DOCUMENTATION. RESOLUTION 06-142 UNANIMOUSLY ADOPTED.

**R-10 RESOLUTION Declaring the McCoy Building, 426 SW Stark Street, Portland, Oregon as Surplus Property and Authorizing Facilities and Property Management Division to Commence a Market Sale of the Property**

AT THE REQUEST OF THE DEPARTMENT AND UPON MOTION OF COMMISSIONER CRUZ, SECONDED BY COMMISSIONER ROJO, R-9 WAS UNANIMOUSLY POSTPONED INDEFINITELY.

**R-11 Public Hearing to Consider and Possibly Act Upon a Measure 37 Claim by James and Elizabeth McGrew for \$8,097,000 in Compensation or Relief from Regulations to Allow a 38 Lot Subdivision on Property Located at 13154 NW McNamee Road [T 2N, R 1W, SEC 32A, TL 700, 800, 900, and 1000] (Case File T1-05-061). Presented by Derrick Tokos and Sandra Duffy.**

CHAIR LINN CONVENED THE HEARING, WITH COMMISSIONERS LISA NAITO, SERENA CRUZ WALSH, LONNIE ROBERTS AND MARIA ROJO DE STEFFEY PRESENT. AT CHAIR LINN'S REQUEST FOR DISCLOSURE, NO EX PARTE CONTACTS WERE REPORTED. AT CHAIR LINN'S REQUEST FOR DISCLOSURE, NO CONFLICTS OF INTEREST WERE REPORTED. AT CHAIR LINN'S REQUESTS FOR DISCLOSURE, NO BOARD MEMBER DISCLOSED HAVING A FINANCIAL INTEREST IN THE OUTCOME OF THIS MATTER AND NO BOARD MEMBER DISCLOSED LIVING WITHIN THE GEOGRAPHICAL AREA ENTITLED TO NOTICE OF CLAIM. CHAIR LINN EXPLAINED THE CONDUCT OF HEARING, THE ORDER OF TESTIMONY AND HOW TO PRESENT TESTIMONY. PLANNER DERRICK TOKOS PRESENTED THE STAFF REPORT AND RECOMMENDATIONS; READ EMAIL FROM NEIGHBORS REQUESTING CLARIFICATION REGARDING AN EASEMENT THEY HAVE WITH CLAIMANTS, AND RESPONDED TO A QUESTION OF COMMISSIONER NAITO, ADVISING THAT THE ONLY ACCESS TO CLAIMANT'S PROPERTY IS OVER PRIVATE PROPERTY. IT WAS DETERMINED THAT CLAIMANTS JAMES AND ELIZABETH MCGREW WERE NOT PRESENT AND THAT NO ONE WISHED TO TESTIFY.

ASSISTANT COUNTY ATTORNEY SANDRA DUFFY RESPONSE TO QUESTIONS OF COMMISSIONER NAITO AND CHAIR LINN REGARDING A RECENT COURT CASE AND TRANSFERABILITY. MS. DUFFY INTRODUCED A PROPOSED ORDER AND ASKED THAT IT BE AMENDED TO REFLECT THAT TAX LOT 700 HAS BEEN IN CONTINUOUS OWNERSHIP. COMMISSIONER CRUZ MOVED AND COMMISSIONER NAITO SECONDED APPROVAL OF AN AMENDMENT TO THE PROPOSED ORDER REFLECTING THAT TAX LOT 700 HAS BEEN IN CONTINUOUS OWNERSHIP, AND APPROVAL OF AN ORDER DENYING MEASURE 37 REQUEST OF JAMES AND ELIZABETH MCGREW. ORDER 06-143 DENYING MEASURE 37 REQUEST OF JAMES AND ELIZABETH MCGREW RELATING TO REAL PROPERTY LOCATED AT 13154 NW MCNAMEE ROAD UNANIMOUSLY ADOPTED, AS AMENDED.

**R-12 Public Hearing to Consider and Possibly Act Upon a Measure 37 Claim by Dean Richards and William Richards for \$915,000 in Compensation or Relief from Regulations to Allow a 20 Lot Subdivision on Property Located at 29415 and 29429 SE Powell Valley Road [TL 200 and 100, SEC 19AB, 1S - 4E] (Case File T1-05-062). Presented by Adam Barber and Sandra Duffy.**

CHAIR LINN CONVENED THE HEARING, WITH COMMISSIONERS LISA NAITO, SERENA CRUZ WALSH, LONNIE ROBERTS AND MARIA ROJO DE STEFFEY PRESENT. AT CHAIR LINN'S REQUEST FOR DISCLOSURE, NO EX PARTE CONTACTS WERE REPORTED. AT CHAIR LINN'S REQUEST FOR DISCLOSURE, NO CONFLICTS OF INTEREST WERE REPORTED. AT CHAIR LINN'S REQUESTS FOR DISCLOSURE, NO BOARD MEMBER DISCLOSED HAVING A FINANCIAL INTEREST IN THE OUTCOME OF THIS MATTER AND NO BOARD MEMBER DISCLOSED LIVING WITHIN THE GEOGRAPHICAL AREA ENTITLED TO NOTICE OF CLAIM. CHAIR LINN EXPLAINED THE CONDUCT OF HEARING, THE ORDER OF TESTIMONY AND HOW TO PRESENT TESTIMONY.

PLANNER ADAM BARBER PRESENTED THE STAFF REPORT; CLARIFIED THAT PROPERTY OWNERS ARE ASKING \$1,830,000 IN COMPENSATION OR RELIEF FROM REGULATIONS TO ALLOW A 40 LOT SUBDIVISION; AND ADVISED THAT STAFF RECOMMENDS DENIAL. IT WAS DETERMINED THAT CLAIMANTS DEAN RICHARDS AND WILLIAM RICHARDS WERE NOT PRESENT AND THAT NO ONE WISHED TO TESTIFY. ASSISTANT COUNTY ATTORNEY SANDRA DUFFY RESPONSE TO A QUESTION OF CHAIR LINN REGARDING CONTINUOUS OWNERSHIP. MR. BARBER AND MS. DUFFY RESPONSE TO QUESTIONS REGARDING OWNERSHIP, DEEDS AND STATUTE OF LIMITATIONS. THERE BEING NO FURTHER BOARD QUESTIONS OR DISCUSSION, COMMISSIONER CRUZ MOVED AND COMMISSIONER NAITO SECONDED, AN ORDER DENYING MEASURE 37 REQUEST OF DEAN RICHARDS AND WILLIAM RICHARDS. COMMISSIONER ROBERTS EXPRESSED DISMAY THAT NO ONE APPEARED TO DEFEND CLAIM. ORDER 06-144 DENYING MEASURE 37 REQUEST OF DEAN RICHARDS AND WILLIAM RICHARDS RELATING TO REAL PROPERTY LOCATED AT 29415 AND 29429 SE POWELL VALLEY ROAD UNANIMOUSLY ADOPTED.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 10:49 a.m.

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