

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

Tuesday, February 8, 2000 - 9:30 AM
Multnomah County Courthouse, Boardroom 602
1021 SW Fourth Avenue, Portland

LAND USE PLANNING MEETING

Chair Beverly Stein convened the meeting at 9:34 a.m., with Vice-Chair Serena Cruz, Commissioners Sharron Kelley, Diane Linn and Lisa Naito present.

P-1 DE NOVO HEARING, TESTIMONY LIMITED TO TWENTY MINUTES PER SIDE, on the Hearings Officer Decision Regarding Approval of Five Administrative Decisions MC 8-99, 9-99, 10-99, 11-99 and 12-99 for Farm Dwelling Approval Validation on Properties Located at 12985, 12989, 14180, 13950, and 13695 NW SKYLINE BOULEVARD, PORTLAND

CHAIR STEIN EXPLAINED QUASI-JUDICIAL PROCESS. AT CHAIR STEIN'S REQUEST FOR DISCLOSURE, NO EX PARTE CONTACTS WERE REPORTED. AT CHAIR STEIN'S REQUEST FOR CHALLENGES AND/OR OBJECTIONS, NONE WERE OFFERED. CHAIR STEIN ADVISED THAT IN THIS CASE BOTH APPLICANT AND OPPONENTS HAVE APPEALED THE HEARINGS OFFICER DECISION, SO THE PROCEDURES WILL BE SOMEWHAT DIFFERENT IN THIS CASE; STAFF PRESENTATION, HEARINGS OFFICER PRESENTATION, THEN THE APPLICANT-APPELLANT WILL GO FIRST AND HAVE A TOTAL OF 20 MINUTES TO PRESENT ITS APPELLANT ISSUES AND RESPOND TO THE OPPONENT-APPELLANT'S ISSUES. IN RESPONSE TO A QUESTION OF CHAIR STEIN, COUNTY COUNSEL SANDRA DUFFY EXPLAINED THE APPLICANT-APPELLANT IS JEFF BACHRACH REPRESENTING GREAT WESTERN STATES, AND THE OPPONENT-APPELLANTS ARE ARNOLD ROCHLIN AND CHRIS FOSTER; AND THAT BOTH PARTIES HAVE A TOTAL OF TWENTY MINUTES FOR THEIR APPEALS, WITH MR. BACHRACH HAVING THE OPPORTUNITY TO REBUT. PLANNER CHUCK BEASLEY PRESENTED CASE HISTORY OVERVIEW OF THE HEARINGS OFFICER DECISION THAT CONSIDERS FIVE APPLICATIONS REQUESTING ZONING CLEARANCE FOR BUILDING PERMITS FOR DWELLINGS IN CONJUNCTION WITH FARM USE PURSUANT TO 1989 FARM MANAGEMENT PLANS; A AND REQUEST FOR A DETERMINATION OF VESTED RIGHTS, THAT THE APPLICANT IS VESTED IN THE DWELLINGS. MR. BEASLEY ADVISED THE PROPERTIES OWNED BY APPLICANT WESTERN STATES DEVELOPMENT ARE IN THE EXCLUSIVE FARM USE ZONE AND ARE LOCATED ADJACENT TO NW SKYLINE BOULEVARD IN AN AREA WEST OF CORNELIUS PASS ROAD. MR. BEASLEY ADVISED ALL FIVE APPLICATIONS WERE CONSIDERED BY A PAST BOARD UNDER THE PROVISIONS OF ORDINANCE 903, THE PRIMARY ASPECTS OF 903 WAS THAT IT FOUND THAT THE FARM MANAGEMENT PLANS WERE STILL VALID, THERE WAS NO

EXPIRATION DATE IN THE ORDINANCE IN EFFECT AT THE TIME THEY WERE APPROVED, AND IT SET A SUNSET DATE OF TWO YEARS IN THE FUTURE FROM AFTER THE ADOPTION DATE OF THE ORDINANCE 903, THAT THE APPLICANTS, HOLDERS OF THESE PERMITS HAD TO ACT ON THOSE FARM MANAGEMENT PLANS. THE OTHER ASPECT OF ORDINANCE 903 WAS THAT IT SET AN IMPLEMENTATION THRESHOLD FOR THE FARM MANAGEMENT PLANS AND THAT WAS THE PROPERTY OWNER HAD TO IMPLEMENT THE FIRST TWO YEARS OF THE FARM MANAGEMENT PLAN. UNDER THAT ORDINANCE WE HEARD FIVE OF THESE, TWO OF THOSE WERE APPROVED AND UPHELD AT LUBA, THREE WERE APPROVED AT THE HEARINGS OFFICER LEVEL AND THEN NOT APPROVED AT BOARD LEVEL, IN PART BECAUSE OF THE BOARD'S DESIRE TO REPEAL ORDINANCE 903. SO NOW, DUE TO THE REPEAL OF ORDINANCE 903, THE QUESTION BECOMES WHAT IS THE YARDSTICK THAT WE ARE USING TO MEASURE APPROVAL OF THESE REQUESTS, AND BASICALLY IN STAFF'S VIEW WHAT WE ARE USING IS THE APPROVAL OF THE FARM MANAGEMENT PLAN ITSELF, AND THE 1989 ORDINANCE AS NEEDED IN TERMS OF INTERPRETATION. MR. BEASLEY ADVISED THAT APPLICANT IS APPEALING THE HEARINGS OFFICER DECISION ON THREE ISSUES: A DETERMINATION OF WHERE WE ARE IN THE 150 TIMELINE; APPLICANT FEELS THEY WERE NOT REQUIRED TO IMPLEMENT THE FARM MANAGEMENT PLANS; AND THAT THE HEARINGS OFFICER DECISION DID NOT TAKE UP THE VESTING ISSUE BECAUSE SHE APPROVED THE REQUEST FOR ZONING CLEARANCE FOR THE BUILDING PERMIT. IN TERMS OF THE APPLICATION TIMELINE, I WOULD DEFER TO COUNTY COUNSEL ON THAT, MY UNDERSTANDING IS THAT WE HAVE ADEQUATE TIME TO COMPLETE THIS PROCESS WITHIN THE ALLOCATED TIME. MR. BEASLEY ADVISED OPPONENTS APPEAL RAISES A NUMBER OF ISSUES, GENERALLY ALONG THE ISSUES OF WHEN WAS IMPLEMENTATION REQUIRED AND WHETHER THE AMOUNT OF IMPLEMENTATION THAT WAS DONE, THE AMOUNT OF FARMING THAT'S HAPPENING OUT THERE MEETS THE FARM MANAGEMENT PLAN REQUIREMENTS. MR. BEASLEY ADVISED STAFF RECOMMENDS THAT THE BOARD ADOPT THE HEARINGS OFFICER DECISION AND ADD A CONDITION CLARIFYING THAT THE DWELLING LOCATION SHOWN IN THE FARM MANAGEMENT PLAN WOULD BE EXEMPT FROM A FUTURE SEC AND SUBMITTED A FEBRUARY 8, 2000 HEARING MEMORANDUM AD HEARING MEMORANDUM CRITERIA OF AND RESPONDED TO BOARD QUESTIONS. MS. DUFFY RESPONSE TO QUESTION OF COMMISSIONER NAITO REGARDING REPEALED ORDINANCE 903 AND LEGAL AUTHORITY OF BOARD TO ASSERT REASONABLE AMOUNT OF TIME. HEARINGS OFFICER JOAN CHAMBERS PRESENTED CONDITIONS, FINDINGS OF FACT AND CRITERIA USED IN DETERMINATION TO APPROVE APPLICATION AND RESPONDED TO BOARD QUESTIONS. APPLICANT GREAT WESTERN STATE'S ATTORNEY JEFF BACHRACH TESTIFIED IN SUPPORT AFFIRMING THE HEARINGS OFFICER DECISION. OPPONENT-APPELLANT CHRIS FOSTER TESTIFIED IN SUPPORT OF A REVERSAL OF THE HEARINGS OFFICER DECISION AND DENIAL OF THE APPROVAL. MS. DUFFY EXPLANATION IN RESPONSE TO A QUESTION OF COMMISSIONER NAITO REGARDING THE VESTED RIGHTS ISSUE. OPPONENT-

APPELLANT ARNOLD ROCHLIN ADVISED THE TIMELINE WILL BE DECIDED BY THE COURT, NOT THE BOARD AND THAT HE TAKES ISSUE WITH THE CASES CITED BY THE HEARINGS OFFICER, TESTIMONY REGARDING VESTED ISSUE "RIGHT IN EQUITY" NOT RELEVANT BECAUSE CASE HEARD ENTIRELY 1989 LAW CASES CITED BY HEARINGS OFFICER AND MR. BACHRACH RELATIVE VESTING - COSTS - REQUESTING DENIAL BASED ON IRRELEVANCE NOT APPLICABLE. MR. BACHRACH DID NOT WISH TO REBUT. MR. ROCHLIN TESTIFIED IN OPPOSITION TO HEARINGS OFFICER DECISION COMMISSIONER KELLEY MOVED, SECONDED BY COMMISSIONER NAITO, TO AFFIRM THE HEARINGS OFFICER DECISION. COUNTY COUNSEL RESPONSE TO BOARD. WITH NO REQUEST FOR CONTINUANCE OR OBJECTION TO HEARING, HEARING CLOSED. FOLLOWING BOARD DISCUSSION, MOTION TO AFFIRM THE HEARINGS OFFICER DECISION UNANIMOUSLY APPROVED. CHAIR STEIN ADVISED ALL PARTIES WILL RECEIVE A COPY OF THE BOARD'S WRITTEN DECISION, WHICH MAY BE APPEALED TO LUBA. COMMISSIONER LINN IF THE COMPANY DOES MANAGE TO IMPLEMENT THE PLAN IN GOOD FAITH WHETHER OR NOT WHAT KINDS OF DETERMINATION COMMISSIONER KELLEY ADVISED SHE DOES NOT SUPPORT THE MOTION AND THAT HER PREFERENCE WOULD BE TO SUPPORT THE HEARINGS OFFICER WITH CERTAIN CONDITIONS AS SHE FEELS IT IS A FAIRNESS ISSUE AND THAT THERE WAS INTENT TO DO GOOD WORK IN REGARDS TO THE FARMLAND AND THAT SHE CANNOT IMAGINE WHY SOMEONE WOULD HAVE A PARCEL THIS LARGE AND NOT TAKE FULL ADVANTAGE AND FARM IT ACCORDINGLY. THINKS AS POLICY MAKERS WE ARE RESISTENT TO THE HOUSE, WE DON'T WANT A FARM DWELLING AND SO WE ARE DOING EVERYTHING WE CAN TO PREVENT THAT FROM HAPPENING. MY EXPERIENCE WITH FARMING HOWEVER IS THAT THE INITIAL INVESTMENT IS THE FIRST YEAR PREPARING THE SOIL AND DOING ALL THE INITIAL PLANTING, THAT'S THE BIGGEST INVESTMENT AND I KNOW THAT WE NEED TO DEVELOP SOME CRITERIA BUT I HOPE THAT WE ARE NOT GOING TO BE NIBBLING AWAY TO PERPETUITY, WE ARE AFTER ALL PLANNERS, NOT FARMERS, SO AGAIN, I AM SEEKING OUT WAYS FOR US TO MONITOR THIS IN AS LOGICAL WAY AS I CAN, BUT AGAIN, I PUT A LOT OF WEIGHT ON FAIRNESS AND I THINK THE ONLY FAIR APPROACH IS TO SUPPORT THE HEARINGS OFFICER DECISION. I THINK THAT WE ERRED IN THE ORIGINAL ORDINANCE AND I THINK THAT THERE IS NO GOING BACK. COMMISSIONER NAITO ADVISED SHE AGREES WITH COMMISSIONER KELLEY, SHE SUPPORTS THE HEARINGS OFFICER AND FEELS THAT THEY HAVE COMPLIED WITH THE PLAN AND DESPITE MY PERSONAL POLICY VIEWS ABOUT LAND USE PLANNING AND LAND USE PROTECTION, I FEEL OBLIGATED TO APPLY MY BEST SENSE OF WHAT THE LAW IS AND WHAT AND WHAT THE LAW WAS IN 1989, AND THE ACTIONS THAT HAVE COME SINCE THAT TIME, AND NOT INTERJECT MY PERSONAL VIEWS INTO THIS QUASI-JUDICIAL PROCEEDING, BUT RATHER LOOK AT THE FACTS AS I SEE THEM AND THE LAW THAT APPLIED AT THAT TIME AND HAS BEEN SINCE THAT TIME, SO I DO NOT SUPPORT THE MOTION. IN RESPONSE TO A REQUEST OF CHAIR STEIN, MS. DUFFY CONFIRMED THAT THERE IS NOT A STANDARD OF INTENT IN THE LAW, YOU EITHER MEET THE REQUIREMENTS

OR YOU DON'T. CHAIR STEIN ADVISED THAT SHE PERSONALLY FEEL THAT THE INTENT IS TO JUSTIFY A DWELLING, BUT SHE ALSO FEELS THAT THE LAW DOES NOT LOOK AT INTENT, AND THAT APPLICANTS INTENT WON'T MATTER WHETHER THEY IMPLEMENT OR NOT, I AM TORN HERE AND CONCERNED ABOUT OUR PAST ACTIONS AND WHERE WE'VE COME WITH THIS, BUT I FEEL THAT I HAVE TO OPPOSE THE MOTION. IT IS A CLOSE CALL FOR ME, I WOULD WANT TO HAVE THE VARIOUS CLARIFICATIONS ADOPTED AND A VERY CLEAR DEFINITION OF THIS ABANDONMENT ISSUE BEFORE WE CONCLUDE THIS MATTER. MOTION FAILED WITH COMMISSIONERS LINN AND CRUZ VOTING AYE, AND COMMISSIONERS KELLEY, NAITO AND STEIN VOTING NO. COMMISSIONER KELLEY MOVED AND COMMISSIONER NAITO SECONDED, TO AFFIRM THE HEARINGS OFFICER DECISION. AT THE REQUEST OF COMMISSIONER KELLEY, MS. DUFFY ADVISED THAT SHE AND MR. BEASLEY HAVE STRUGGLED ON THE ISSUE OF CLARIFICATION, THAT PART OF THE PROBLEM IS THAT IN HER DECISION, THE HEARINGS OFFICER SAID THAT THEY WOULD HAVE TO CONTINUE TO DO FARMING AND I BELIEVE THAT IS IMPLICIT ALREADY IN THE LAWS AS THEY STAND, I UNDERSTAND TRYING TO PUT SOME PARAMETERS ABOUT HOW DO YOU PROVE THE LACK OF ABANDONMENT, AND WHAT HAD BEEN SUGGESTED BY MR. BACHRACH IS THAT THEY WOULD SEND IN PICTURES AND AN AFFIDAVIT EACH YEAR, BUT WHAT THAT DOES IS SETS UP A FACTUAL FINDING AND THAT IS JUST SOMETHING I WOULD REALLY ADVISE AGAINST, WE REALLY DON'T WANT TO BE DEALING WITH THIS OVER AND OVER. I FRANKLY THINK THAT THE BEST THING TO DO IS TO LEAVE IT THE WAY THE HEARINGS OFFICER PUT IT, WHICH IS THAT THERE IS AN UNDERSTANDING THAT THERE SHOULD BE CONTINUAL IMPLEMENTATION AND CONTINUAL FARMING ON THE LAND, AND THEN IT IS UP TO BASICALLY A CODE ENFORCEMENT KIND OF A SITUATION. I KNOW THAT OTHER JURISDICTIONS ARE DEALING WITH THIS ISSUE WHERE FARM MANAGEMENT PLANS WERE PUT INTO PLACE TEN OR FIFTEEN YEARS AGO, THEY PUT SOME TREES ON THE LAND AND THEN NEVER FARMED IT ANY MORE, AND THERE ARE ACTUALLY THREATS OF REMOVING DWELLINGS ON ACCOUNT OF THE FACT THAT THEY HAVE NOT CONTINUED TO FARM, AND I THINK THAT THAT'S JUST PROBABLY WHERE WE NEED TO LEAVE IT, IS THAT IT'S A CODE ENFORCEMENT ISSUE AS OPPOSED TO TRYING TO PUT SOME CONDITIONS THAT ARE JUST REALLY GOING TO BE IMPOSSIBLE TO FOLLOW UP ON. COMMISSIONER KELLEY MOVED AND COMMISSIONER NAITO SECONDED, TO AFFIRM THE HEARINGS OFFICER DECISION WITH THE ADDITION OF THE FIRST CONDITION. IN RESPONSE TO A QUESTION OF COMMISSIONER CRUZ, MS. DUFFY EXPLAINED THAT THE CONDITION IS THAT IF THEY DON'T MOVE THE DWELLING FROM WHERE THEY SHOWED IT ON THEIR PLAN THAT THEY DON'T HAVE TO GET AN SEC PERMIT, IF THEY MOVE IT THEY WILL HAVE TO GET AN SEC PERMIT, AND THAT NO MATTER WHAT, AND THAT IS ALSO TRUE ABOUT THE HILLSIDE DEVELOPMENT. THE REASON FOR THAT IS THAT IN 1989 SEC AND HD PERMITS WERE NOT REQUIRED, SO IF THEY STAY WHERE THEY ARE, THEY ARE FINE, IF THEY MOVE THEY NEED TO COMPLY WITH THE NEW LAW. THE OTHER THING IS THAT THE GRADING AND EROSION CONTROL PERMIT

APPLIES NO MATTER WHAT. COMMISSIONER CRUZ ASKED THAT IF THE BOARD APPROVES THE MOTION WITH THAT CONDITION, THERE IS AN IMPLIED UNDERLYING FARM MANAGEMENT PLAN THAT'S APPROVED INTO PERPETUITY? SO THEY CAN SIT ON THE LAND FOR TWENTY MORE YEARS, SPECULATE ABOUT WHEN THEY ARE GOING TO NEED A DWELLING AND THAT'S ALLOWABLE UNDER THE BOARD'S DECISION TODAY? MS. DUFFY ADVISED THAT THE ARGUMENT IS STILL THERE THAT COULD OCCUR. COMMISSIONER LINN CLARIFIED THAT SHE WILL VOTE NO AND THAT IT IS NOT BASED ON PURE INTUITION OR INTENT, IT IS BASED ON MY CHALLENGE OF THE HEARINGS OFFICER INTERPRETATION OF THE FINE POINT AROUND IMPLEMENTATION OF THE PLAN. I RESPECT THIS PROCESS AND WHAT WE ARE ATTEMPTING TO DO HERE BUT I AM STRUGGLING WITH WHETHER OR NOT THERE IS A WAY WE CAN AND CODE ENFORCEMENT MAY BE THE WAY TO DO IT, AND MAYBE IT IS THE ONLY WAY WE CAN DO IT WITHOUT DOING THE FACTFINDING PIECE THAT ADDS MORE COMPLEXITY AND THERE IS A BEAUTY TO BRINGING CLOSURE TO THIS TO A LARGE EXTENT, BUT I HOPE THAT STAFF DOES FOLLOW UP ON ASSURING THAT THE LAND IS BEING USED UNDER THE LETTER OF THE LAW FOR THE LONG HAUL. MS. DUFFY ADVISED THERE IS NO REASON YOU COULDN'T GO AHEAD AND PUT A TIME FRAME FOR OBTAINING A BUILDING PERMIT IF YOU WANTED TO DO THAT. CHAIR STEIN WOULD LIKE TO DO THAT, WHAT WOULD BE AN APPROPRIATE TIME FRAME? IN RESPONSE TO THE QUESTION OF CHAIR STEIN AND MS. DUFFY, MR. BEASLEY ADVISED THEY HAD DISCUSSED TWO YEARS, BUT MR. BACHRACH'S CLIENT FEELS THAT IS TOO SHORT A TIME, THEY SUGGESTED AT LEAST THREE YEARS IF THEY HAVE TO HAVE A FINAL TIME FRAME. MS. DUFFY SAID IT WOULD BE UP TO THE BOARD'S DISCRETION AS TO HOW LONG TO OBTAIN A BUILDING PERMIT. COMMISSIONER LINN ADVISED SHE IS TERRIBLY UNCOMFORTABLE WITH THE BOARD MAKING AN ARBITRARY DECISION ALONG THOSE LINES AND IS ALSO NOT CLEAR OR SURE WHY WE WOULD WANT TO PROCEED AHEAD ON THAT PIECE OF IT, I'D RATHER US TRACK THE CASE IN TERMS OF ITS ADHERENCE TO THE LAW AND IMPLEMENTATION OF THE FARM PLAN AS A CODE ENFORCEMENT QUESTION. MS. DUFFY, OKAY THEN WHAT YOU ARE LOOKING AT IS WHETHER THEY HAVE ABANDONED THE USE. COMMISSIONER CRUZ ADVISED HER ARGUMENT WOULD BE THAT MEANWHILE SHE STILL OPPOSES THE HEARINGS OFFICER DECISION, THAT IF WE DON'T PUT A CONDITION ABOUT TIME FRAME FOR THE ISSUANCE OF A BUILDING PERMIT, THEN WE WILL CREATE THAT ARGUMENT FOR A RIGHT INTO PERPETUITY AND CONTINUE TO BE ARGUING ABOUT WHETHER OR NOT THERE IS THAT RIGHT AND IT SURE SEEMS TO ME LIKE THIS FARM MANAGEMENT PLAN WAS APPROVED IN 1989, WE'RE SITTING HERE IN YEAR 2000, THERE WAS A FIVE YEAR PLAN OF ACTION, THERE WERE NO DEADLINES, I'M NOT GOING TO ARGUE ABOUT WHETHER OR NOT THERE SHOULD HAVE BEEN DEADLINES, THERE WERE NO DEADLINES IN THAT PLAN, BUT THERE WAS A FIVE YEAR PLAN, AND IF WE ASSUME THEY ARE IN YEAR TWO OF THAT FIVE YEAR PLAN, IT CERTAINLY WOULD NOT BE UNREASONABLE, AND THEY ARE STILL GOING TO HAVE TO PROVE THAT THEY ARE MAINTAINING THE PLAN IN

ORDER TO GET THE BUILDING PERMIT, THEY ARE STILL GOING TO HAVE TO DEMONSTRATE THE FARMING ACTIVITY AND THE LEVEL OF THE FARMING ACTIVITY AND ALL THAT IN ORDER TO GET THAT PERMIT, SO IF THE BOARD IS INCLINED TO SUPPORT THE HEARINGS OFFICER DECISION I WOULD VERY MUCH SUPPORT A TIME FRAME ON THE ISSUANCE OF A BUILDING PERMIT. COMMISSIONER NAITO SUGGESTED THE CASE WILL BE APPEALED EITHER WAY AND THERE WILL BE SEVERAL YEARS INVOLVED EITHER WAY AND IN THE INTEREST OF KEEPING IT AS UNCOMPLICATED AS POSSIBLE, SHE PREFERS TO MOVE FORWARD TODAY RATHER THAN ADDING MORE CONDITIONS, BUT IF WE WERE I GUESS I WOULD INTERJECT THAT TEN YEARS, SORT OF ADVERSE POSSESSION STANDARD, WHERE YOU CAN TAKE YOUR RIGHT AFTER TEN YEARS WOULD BE MY THINKING ON THAT. COMMISSIONER KELLEY CLARIFIED HER MOTION WAS TO AFFIRM THE HEARINGS OFFICER DECISION AND ADDING THE FIRST CONDITION RAISED BY STAFF HAVING TO DO WITH THE SITE PLAN AND THE SEC OVERLAY ZONES AND TO ELIMINATE ANY OTHER CONDITIONS. COMMISSIONER NAITO SECONDED. AT THE REQUEST OF CHAIR STEIN, COMMISSIONER LINN MOVED TO AMEND THE MOTION TO ALLOW A TEN YEAR STANDARD. AMENDMENT FAILED FOR LACK OF A SECOND. MOTION TO AFFIRM THE HEARINGS OFFICER DECISION AND ADDING THE FIRST CONDITION RAISED BY STAFF HAVING TO DO WITH THE SITE PLAN AND THE SEC OVERLAY ZONES AND TO ELIMINATE ANY OTHER CONDITIONS APPROVED, WITH COMMISSIONERS KELLEY, NAITO AND STEIN VOTING AYE, AND COMMISSIONERS LINN AND CRUZ VOTING NO.

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:18 a.m.

Thursday, February 10, 2000 - 9:30 AM
Multnomah County Courthouse, Boardroom 602
1021 SW Fourth Avenue, Portland

REGULAR MEETING

Vice-Chair Serena Cruz convened the meeting at 9:36 a.m., with Commissioners Diane Linn and Lisa Naito present, and Commissioner Sharron Kelley and Chair Beverly Stein excused.

CONSENT CALENDAR

UPON MOTION OF COMMISSIONER LINN, SECONDED BY COMMISSIONER NAITO, THE CONSENT CALENDAR (ITEMS C-1 THROUGH C-13) WAS UNANIMOUSLY APPROVED.

NON-DEPARTMENTAL

- C-1 Appointments of Shawn Baird, Christopher Thomas, Ellen R. Lager, Laurie J. Ringlein, John Stouffer and Robert R. Wall to the EMS CONTRACT COMPLIANCE AND RATE REGULATION COMMITTEE
- C-2 Reappointment of George Bell to the METROPOLITAN EXPOSITION AND RECREATION COMMISSION
- C-3 Reappointments of Dick Wegner, Dave Simpson, Doug Menely and Robert Pung to the DISTRICT ATTORNEY'S CITIZEN BUDGET ADVISORY COMMITTEE
- C-4 Appointments of Darian Stanford, Douglas Montgomery, Allison Wegner and Robert Gassner to the DEPARTMENT OF COMMUNITY AND FAMILY SERVICES CITIZEN BUDGET ADVISORY COMMITTEE
- C-5 Reappointments of Iris Newhouse and Ron Thrasher and Appointments of Thomas Doyle, Tim Farley and P. Shane Jackson to the DEPARTMENT OF ENVIRONMENTAL SERVICES CITIZEN BUDGET ADVISORY COMMITTEE
- C-6 Reappointments of Charlotte Cook, Maureen Pung, Mark Jones and Bill Hoffstetter to the DEPARTMENT OF JUVENILE AND ADULT COMMUNITY JUSTICE CITIZEN BUDGET ADVISORY COMMITTEE
- C-7 Reappointment of Tracee Larson and Appointments of Ted Blaszak, Cathy Kaufmann and John Mulvey to the NON-DEPARTMENTAL CITIZEN BUDGET ADVISORY COMMITTEE
- C-8 Reappointments of Vera Robbins, Marv Woidyla, Jim Lasher, Juanita Crawford and Malcomb Freund to the SHERIFF'S OFFICE CITIZEN BUDGET ADVISORY COMMITTEE
- C-9 Reappointment of Donald Dumont and Appointment of Brian Wayson to the DEPARTMENT OF SUPPORT SERVICES CITIZEN BUDGET ADVISORY COMMITTEE

DISTRICT ATTORNEY'S OFFICE

- C-10 Amendment 4 to Intergovernmental Revenue Agreement 500266 with the State Office for Services to Children and Families to Increase the Funding for the Termination of Parental Rights Program for 1999-2000

DEPARTMENT OF COMMUNITY AND FAMILY SERVICES

C-11 Intergovernmental Revenue Agreement 0010703 with Portland Public Schools, Child Services Center, Funding Safe Schools, Mental Health Services to Schools and the Community

DEPARTMENT OF JUVENILE AND ADULT COMMUNITY JUSTICE

C-12 Budget Modification DCJ 00-08 Increasing the Juvenile Community Justice Budget Appropriation by \$235,113 in Annie E. Casey Foundation Grant Revenue

DEPARTMENT OF HEALTH

C-13 Renewal of Intergovernmental Agreement 0010466 with the Oregon Health Division for Research Services for the Healthy Start Initiative Grant

REGULAR AGENDA

PUBLIC COMMENT

R-1 Opportunity for Public Comment on Non-Agenda Matters.

Public Comment was made and received for the record.

DISTRICT ATTORNEY'S OFFICE

R-2 Intergovernmental Agreement 0011201 with the Health Department and the Department of Community and Family Services to Fund a Community Health Nurse and a Substance Abuse Specialist for CAMI Child Abuse Investigations at the New Gresham Branch of the State Office for Services to Children and Families

COMMISSIONER LINN MOVED AND COMMISSIONER NAITO SECONDED, APPROVAL OF R-2. HELEN SMITH EXPLANATION AND RESPONSE TO BOARD QUESTIONS. AGREEMENT UNANIMOUSLY APPROVED.

DEPARTMENT OF SUPPORT SERVICES

R-3 Intergovernmental PERS Declaratory Judgment Cost Sharing Agreement 0011257 with the Cities of Eugene, Portland and Roseburg and Lane County

COMMISSIONER NAITO MOVED AND COMMISSIONER LINN SECONDED, APPROVAL OF R-3. DAVE BOYER EXPLANATION AND RESPONSE TO BOARD QUESTIONS AND COMMENTS IN SUPPORT. AGREEMENT UNANIMOUSLY APPROVED.

DEPARTMENT OF ENVIRONMENTAL SERVICES

R-4 Report to the Board the Hearings Officer Decision MC 13-99 Regarding Denial of a Vested Rights Determination for a Farm Dwelling Decision on Property Located at 39050 SE GORDON CREEK ROAD, PORTLAND, and Request that the Board Set a DE NOVO HEARING for 10:30 AM, THURSDAY, MARCH 9, 2000, WITH TESTIMONY LIMITED TO 20 MINUTES PER SIDE

UPON MOTION OF COMMISSIONER LINN, SECONDED BY COMMISSIONER NAITO, IT WAS UNANIMOUSLY APPROVED THAT A DE NOVO HEARING BE SCHEDULED FOR 10:30 AM, TUESDAY, MARCH 9, 2000, WITH TESTIMONY LIMITED TO 20 MINUTES PER SIDE.

COMMISSIONER COMMENT/LEGISLATIVE ISSUES

R-5 Opportunity (as Time Allows) for Commissioners to Comment on Non-Agenda Items or to Discuss Legislative Issues.

COMMISSIONERS LINN AND NAITO COMMENTS REGARDING ANIMAL CONTROL STAFF AND PRACTICES.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:57 a.m.

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