

ANNOTATED MINUTES

*Tuesday, July 13, 1993 - 9:30 AM
Multnomah County Courthouse, Room 602*

BOARD BRIEFING

- B-1 *Update on the 1993 Oregon Legislative Session. Presented by Fred Neal and Howard Klink.*

FRED NEAL PRESENTATION AND RESPONSE TO BOARD QUESTIONS.

*Tuesday, July 13, 1993 - 1:30 PM
Multnomah County Courthouse, Room 602*

PLANNING ITEMS

Acting Chair Henry C. Miggins convened the meeting at 1:33 p.m., with Vice-Chair Gary Hansen, Commissioners Sharron Kelley, Tanya Collier and Dan Saltzman present.

The Following June 21, 1993 Decision of the Planning and Zoning Hearings Officer is Reported to the Board for Review:

- P-1 *LE 14-92/LD 49-92 Approve Request of a 9.92 Acre Lot of Exception through a Property Line Adjustment to Transfer .05 Acre Lot of Record to an Adjoining 35.39 Acre Lot of Record, Plus Approval of a Type I Land Division, All for Property Located at 12937 NW NEWBERRY ROAD.*

DECISION READ, NO APPEAL FILED, DECISION STANDS.

The Following June 22, 1993 Decision of the Planning and Zoning Hearings Officer is Reported to the Board for Review:

- P-2 *CU-18-93/HV 13-93 Approve Conditional Use Request for a Maximum of Five Years for a Temporary Staging Yard During Construction of the Mid-County Sewer; Approve Variance to the 200 Foot Setback Requirement from the North, East and South Property Lines and Elimination of the Two Inch Paving Requirement; Deny Reduction of the 15% Landscaping Requirement, All for Property Located at 4620 SE 174TH AVENUE.*

DECISION READ, NO APPEAL FILED, DECISION STANDS.

- P-3 *C 9-92a PUBLIC HEARING, ON THE RECORD, 30 MINUTES PER SIDE. Review the May 17, 1993 Planning Commission Decision Recommending Adoption of the Goal 5 Inventory Worksheet for Bridal Veil as a Supplemental Document to the Comprehensive Framework Plan and Support the Task Force Recommendations and Preservation Process, All for Property Located at BRIDAL VEIL ROAD AND CROWN POINT HIGHWAY.*

PLANNING DIRECTOR SCOTT PEMBLE EXPLAINED THAT PASSAGE OF SENATE BILL 96 WILL EXCLUDE THE NATIONAL SCENIC AREA FROM COMPLIANCE WITH STATEWIDE PLANNING GOALS, AND REQUIRE COMPLIANCE WITH FEDERAL LAND USE MANDATES. MR. PEMBLE SUGGESTED THAT IN LIGHT OF IMPLICATIONS TO BRIDAL VEIL AND COUNTY'S GOAL 5 PROCESS REGARDING GORGE AREA, THE BOARD COULD EITHER CONDUCT THIS SCHEDULED HEARING, CONTINUE THE HEARING TO A FUTURE DATE, OR TAKE TESTIMONY TODAY, WITH UNDERSTANDING THAT ANY DECISIONS MADE BY COUNTY MAY NOT BE APPLICABLE UPON IMPLEMENTATION OF SB 96. ACTING CHAIR MIGGINS SUBMITTED EX PARTE MATERIALS RECEIVED BUT NOT READ, TO BE PLACED WITH THE RECORD. BOARD DISCUSSION. COUNTY COUNSEL JOHN DuBAY AND MR. PEMBLE RESPONSE TO BOARD QUESTIONS AND DISCUSSION. COMMISSIONER SALTZMAN MOVED AND COMMISSIONER HANSEN SECONDED, TO CONTINUE HEARING PENDING SECRETARY OF AGRICULTURE ACTION ON THE COUNTY'S ORDINANCE. AT BOARD INVITATION, ATTORNEY STEVE ABEL TESTIFIED IN SUPPORT OF A 30 DAY CONTINUANCE. BOARD DISCUSSION. COMMISSIONER SALTZMAN MOVED, SECONDED BY COMMISSIONER HANSEN, THAT THE PREVIOUS MOTION BE AMENDED TO STATE THAT HEARING BE CONTINUED TO AUGUST 10, 1993. BOARD DISCUSSION. MOTION UNANIMOUSLY APPROVED TO CONTINUE HEARING TO 1:30 P.M., TUESDAY, AUGUST 10, 1993. COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED, TO HEAR TESTIMONY TODAY REGARDING APPEAL ISSUE. BOARD COMMENTS AND DISCUSSION. MOTION UNANIMOUSLY APPROVED. MR. ABEL ADVISED HE WILL RESERVE TESTIMONY FOR AUGUST 10. CATHY GALBRAITH ADVISED SHE WILL RESERVE TESTIMONY FOR AUGUST 10. MS. GALBRAITH EXPLANATION IN RESPONSE TO QUESTION OF COMMISSIONER KELLEY. COMMENTS FROM CHUCK ROLLINS, LAUREL SLATER, MIKE BYRNES, ALFRED STAEHLI AND CHRISTAN STRICKLAND, WITH TESTIMONY TO BE RESERVED FOR AUGUST 10. ACTING CHAIR MIGGINS ADVISED HEARING WILL BE HELD IN BRIDAL VEIL AREA.

P-4 *ORDERS in the Matter of Multnomah County Appointing Planning and Zoning Hearings Officers for Fiscal Year 1993/94*

COMMISSIONER SALTZMAN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF THE APPOINTMENTS OF PHILLIP GRILLO, LARRY EPSTEIN AND ROBERT

LIBERTY. MR. PEMBLE EXPLANATION IN RESPONSE TO BOARD QUESTIONS. BOARD COMMENTS AND DISCUSSION. STAFF DIRECTED TO LOOK INTO WAYS TO DEVELOP DIVERSITY IN PROCESS. ORDERS 93-249, 93-250 AND 93-251 UNANIMOUSLY APPROVED.

There being no further business, the meeting was adjourned at 2:35 p.m.

*OFFICE OF THE BOARD CLERK
for MULTNOMAH COUNTY, OREGON*

Deborah L. Bogstad

*Wednesday, July 14, 1993 - 8:30 AM - 3:30 PM
Multnomah County Expo Center, VIP Room
2060 North Marine Drive*

BOARD RETREAT

BR-1 Board Discussion of County Functions and Mission.

CANCELLED. TO BE RESCHEDULED IN AUGUST.

*Thursday, July 15, 1993 - 9:30 AM
Multnomah County Courthouse, Room 602*

REGULAR MEETING

Acting Chair Henry C. Miggins convened the meeting at 9:32 a.m., with Vice-Chair Gary Hansen, Commissioners Sharron Kelley, Tanya Collier and Dan Saltzman present.

CONSENT CALENDAR

UPON MOTION OF COMMISSIONER COLLIER, SECONDED BY COMMISSIONER KELLEY, THE CONSENT CALENDAR (ITEMS C-1 THROUGH C-14) WAS UNANIMOUSLY APPROVED.

SHERIFF'S OFFICE

C-1 Application for Business Certificate Renewal [Wrecker's License] Submitted by Sheriff's Office with Recommendation for Approval, for R.S. DAVIS RECYCLING, INC., 28425 SE ORIENT DRIVE, GRESHAM

DEPARTMENT OF HEALTH

C-2 Ratification of Intergovernmental Agreement Contract #200604, Between Multnomah

County Education Service District and Multnomah County, Providing Immunization and Tuberculosis Liaison Services During the 1993/1994 School Year, for the Period November 2, 1993 through May 15, 1994

- C-3 *Ratification of Amendment No. 1 to Intergovernmental Agreement Contract #200284, Between Multnomah County and Oregon Department of Education, Providing Reimbursement for Increased Number of County Inspections Under the USDA Summer Food Service Program, for the Period Upon Execution through June 30, 1994*

DEPARTMENT OF SOCIAL SERVICES

- C-4 *Ratification of Intergovernmental Agreement Contract #102864, Between Multnomah County and Oregon Health Sciences University, Providing Emergency Psychiatric Hold Services to Clients of the Mental Health, Youth, and Family Services Division's Mental and Emotional Disabilities Program Office, for the Period July 1, 1993 through June 30, 1994*
- C-5 *Ratification of Intergovernmental Agreement Contract #102744, Between the Oregon Department of Human Resources and Multnomah County, Providing Funding for the Service Integration Program, a Family Oriented Service Center at Roosevelt High School, for the Period Upon Execution through June 30, 1995*

NON-DEPARTMENTAL

- C-6 *In the Matter of the Appointment of Nancy Conrath to the METROPOLITAN ARTS COMMISSION*
- C-7 *In the Matter of the Appointment of Gail Shibley to the MULTNOMAH COUNTY COMMUNITY ACTION COMMISSION*
- C-8 *Ratification of Intergovernmental Agreement Contract #500034, Between the Oregon Department of Forestry and Multnomah County, Providing County "Shadow Team" Participation and Training in the Regional Incident Command System, for the Period July 1, 1993 through July 1, 1994*

DEPARTMENT OF ENVIRONMENTAL SERVICES

- C-9 *Ratification of Intergovernmental Agreement Contract #300124, Between Multnomah County and the City of Portland, Providing Copier Services for the Period July 1, 1993 through June 30, 1998*
- C-10 *ORDER in the Matter of the Execution of Deed D930893 Upon Complete Performance of a Contract to Larry Burright*
- ORDER 93-252.**
- C-11 *ORDER in the Matter of the Execution of Deed D930900 Upon Complete Performance of a Contract to Larry Burright*

ORDER 93-253.

- C-12 *ORDER in the Matter of the Execution of Deed D930901 Upon Complete Performance of a Contract to Mary Nolan and Mark S. Gardiner*

ORDER 93-254.

- C-13 *ORDER in the Matter of the Execution of Deed D930903 Upon Complete Performance of a Contract to the Estate of Nova B. Harp, Robert J. Groce, Personal Representative*

ORDER 93-255.

- C-14 *ORDER in the Matter of the Execution of Deed D930904 Upon Complete Performance of a Contract to Rodger Evenson*

ORDER 93-256.

REGULAR AGENDA

- R-1 *Presentation on the Opening of the 1993 MULTNOMAH COUNTY FAIR*

MARIA ROJO de STEFFEY AND RICK SANDERS PRESENTATION. PRESENTATION BY FAIR PARTICIPANTS REBECCA STOUTEN, KATIE PAUL, KELLY NIMER, MEGANNE HOPPER, KAITLIN SANDERS, CASEY FETTERO, DAVID SANDERS, LYNN JOHNSON WILTSHIRE, LUCY FLECK, MORGAN WILLIAMS, SIERRA ROWE AND SHANNON WILCOX. MS. ROJO de STEFFEY AND MR. SANDERS COMMENTS.

- R-2 *ORDER in the Matter of the Grant of a Sewer Easement on County Land at Gilbert Heights Park, SW1/4, S11, T2S, R2E, WM, Multnomah County, Oregon [to City of Portland for Powell Village 341 Sanitary Sewer System Project]*

UPON MOTION OF COMMISSIONER HANSEN, SECONDED BY COMMISSIONER KELLEY, ORDER 93-257 WAS UNANIMOUSLY APPROVED.

- R-3 *ORDER in the Matter of the Quitclaim of Surplus County Land, Tax Lot 247, Section 30, Township 1 North, Range 3 East, W.M., Multnomah County, Oregon [0.17 Acre to Hospitality Investments Limited Partnership]*

UPON MOTION OF COMMISSIONER HANSEN, SECONDED BY COMMISSIONER COLLIER, ORDER 93-258 WAS UNANIMOUSLY APPROVED.

PUBLIC CONTRACT REVIEW BOARD

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

Review Board)

R-4 *ORDER in the Matter of a Sole Source Exemption to Contract with Portland General Electric for the Purchase of Street Lighting*

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER SALTZMAN, ORDER 93-259 WAS UNANIMOUSLY APPROVED.

R-5 *ORDER in the Matter of an Exemption from Public Bidding a Contract with IBM for the Purchase of an IBM RS 6000 Computer*

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER COLLIER, ORDER 93-260 WAS UNANIMOUSLY APPROVED.

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

NON-DEPARTMENTAL

R-6 *RESOLUTION in the Matter of Adopting and Defining Various County Funds*

COMMISSIONER HANSEN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-6. JEAN UZELAC TO FURNISH COMMISSIONER KELLEY WITH SPECIFIC INFORMATION. RESOLUTION 93-261 UNANIMOUSLY APPROVED.

DEPARTMENT OF ENVIRONMENTAL SERVICES

R-7 *First Reading of an ORDINANCE Amending MCC 8.10 Relating to Animal Control, Clarifying the Status of an Infraction Based on Non-Payment of the Potentially Dangerous Dog (PDD) Annual License Fee, Raising the Fee and Creating Separate Fees Based on the Level of Classification of the Dog*

PROPOSED ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER HANSEN MOVED, AND COMMISSIONER COLLIER SECONDED, APPROVAL OF FIRST READING. ANIMAL CONTROL MANAGER MIKE OSWALD AND COUNTY COUNSEL MATT RYAN IDENTIFIED TECHNICAL CHANGES TO PAGES 2, 4 AND 5, ADVISING THEY ARE GRAMMATICAL AND NON-SUBSTANTIVE. MR. OSWALD RESPONSE TO BOARD QUESTIONS. HEARING HELD, NO ONE WISHED TO TESTIFY. FIRST READING UNANIMOUSLY APPROVED. SECOND READING SCHEDULED FOR 9:30 AM, THURSDAY, JULY 22, 1993.

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER COLLIER, CONSIDERATION OF THE

FOLLOWING UNANIMOUS CONSENT ITEM WAS UNANIMOUSLY APPROVED.

SHERIFF'S OFFICE

UC-1 Oregon Liquor Control Commission Class A Dispenser/Retail Malt Beverage/New Outlet License Application Submitted by Sheriff's Office with Recommendation for Approval, for THE BANK, DIVISION BRANCH, 15920 SE DIVISION

UPON MOTION OF COMMISSIONER HANSEN, SECONDED BY COMMISSIONER KELLEY, UC-1 WAS UNANIMOUSLY APPROVED.

DEPARTMENT OF HEALTH

R-8 Second Reading and Possible Adoption of an ORDINANCE to Adopt an Ambulance Service Area (ASA) Plan for Multnomah County

PROPOSED ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER COLLIER DECLARED A POTENTIAL CONFLICT OF INTEREST IN THAT HER HUSBAND'S LAW FIRM REPRESENTS THE FIRE FIGHTERS AND AMALGAMATED TRANSIT UNION. COMMISSIONER COLLIER MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF THE SECOND READING. COMMISSIONERS COLLIER AND SALTZMAN ADVISED THEY HAVE PROPOSED AMENDMENTS. COUNTY COUNSEL JACQUELINE WEBER RESPONSE TO BOARD DISCUSSION, ADVISING MOTIONS SHOULD BE TAKEN SEPARATELY PRIOR TO TESTIMONY. COMMISSIONER COLLIER MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF AMENDMENT TO PAGE 13 (AMENDMENT NO.1). COMMISSIONER COLLIER MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF AMENDMENT TO PAGE 15 (AMENDMENT NO. 2). COMMISSIONER COLLIER MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF AMENDMENT TO PAGE 27 (AMENDMENT NO. 3). COMMISSIONER COLLIER MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF AMENDMENT TO PAGE 29 (AMENDMENT NO. 4). COMMISSIONER KELLEY MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF AMENDMENT TO PAGE 18 (AMENDMENT NO. 5). COMMISSIONER SALTZMAN MOVED AND COMMISSIONER HANSEN SECONDED, AMENDMENT TO ATTACHMENT A WHICH ESTABLISHES TWO PRIVATE TRANSPORT PROVIDERS FOR COUNTY (AMENDMENT NO. 6). COMMISSIONER SALTZMAN MOVED AND COMMISSIONER HANSEN SECONDED, AMENDMENT TO ATTACHMENT A WHICH SETS AN ANNUAL COMPENSATION RATE FOR

FIRE BUREAU TRANSPORT (AMENDMENT NO. 7). BOARD QUESTIONS AND DISCUSSION. BILL COLLINS COMMENTS AND RESPONSE TO BOARD QUESTIONS. COMMISSIONER COLLIER MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF AMENDMENT TO PAGE 8 (AMENDMENT NO. 8). BOARD COMMENTS AND DISCUSSION. MR. COLLINS RESPONSE TO BOARD QUESTIONS. COMMISSIONER COLLIER MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF AMENDMENT TO PAGE 16 (AMENDMENT NO. 9). COMMISSIONER COLLIER MOVED AND COMMISSIONER KELLEY SECONDED, AMENDMENT TO PAGE 28 (AMENDMENT NO. 10).

OPPOSITION TESTIMONY FROM RON McCLURE, JEFF LAWRENCE, JUNITA KAUBLE, WARREN ANDREWS, CHUCK COLEMAN, JAY FUSTON, ERIC PEDERSEN, TERRY MARSH, WALLACE FEIST, JOHN CUTRIGHT, CARL LEMMON, GARETH STORER, BETH MURPHY, RICK CHERRY, MARK WEBSTER, GARY McLEAN, AL BACON, MICHELLE BLANK, SEAN RILEY, MARY ANN MORRISON, RYAN ROY, RON HEINTZMAN AND RICHARD LAZAR. SUPPORT TESTIMONY FROM TRACE SKEEN, ED SNYDER, KEVIN SHANDERS, JOHN HARKNESS AND TOM LINDLEY.

MR. COLLINS AND MS. WEBER RESPONSE TO BOARD QUESTIONS. BOARD COMMENTS AND DISCUSSION.

The Board recessed at 12:45 p.m., and reconvened at 1:29 p.m.

COMMISSIONER COLLIER MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF AMENDMENT TO PAGE 22 (AMENDMENT NO. 11). COMMISSIONER COLLIER MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF AMENDMENT TO PAGE 21 (AMENDMENT NO. 12). COMMISSIONER COLLIER MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF AMENDMENT TO PAGE 13 (AMENDMENT NO. 13). COMMISSIONER COLLIER MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF AMENDMENT TO PAGE 5 (AMENDMENT NO. 14). MR. COLLINS AND DR. GARY OXMAN RESPONSE BOARD QUESTIONS. COMMISSIONER COLLIER MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF AMENDMENT TO PAGE 27 (AMENDMENT NO. 3-1). DR. OXMAN AND MR. COLLINS RESPONSE TO BOARD QUESTIONS. BOARD DISCUSSION AND COMMENTS. COMMISSIONER KELLEY MOVED AND COMMISSIONER SALTZMAN SECONDED, AMENDMENT TO PAGE 11. BOARD COMMENTS AND DISCUSSION. MR. COLLINS COMMENTS.

COMMISSIONERS KELLEY AND SALTZMAN WITHDREW PRIOR AMENDMENT AND COMMISSIONER KELLEY MOVED AND COMMISSIONER SALTZMAN SECONDED, AMENDMENT TO PAGE 28 (AMENDMENT NO. 15). BOARD REQUESTED CHAIR TO DIRECT EMS TO CHANGE ADMINISTRATIVE RULES PERTAINING TO DISPATCH. MR. COLLINS AND DR. OXMAN RESPONSE TO BOARD QUESTIONS, DISCUSSION AND COMMENTS. COMMISSIONER HANSEN MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF AMENDMENT TO PAGE 16 (AMENDMENT NO. 16). BOARD DISCUSSION, COMMENTS AND VOTE ON FOLLOWING AMENDMENTS: AMENDMENT NO. 1 UNANIMOUSLY APPROVED. AMENDMENT NO. 2 UNANIMOUSLY APPROVED. AMENDMENT NO. 3-1 UNANIMOUSLY APPROVED. AMENDMENT NO. 3 UNANIMOUSLY APPROVED. AMENDMENT NO. 4 UNANIMOUSLY APPROVED. AMENDMENT NO. 5 UNANIMOUSLY APPROVED. AMENDMENT NO. 6 FAILED WITH COMMISSIONERS SALTZMAN AND MIGGINS VOTING AYE AND COMMISSIONERS KELLEY, HANSEN AND COLLIER VOTING NO. AMENDMENT NO. 7 APPROVED WITH COMMISSIONERS KELLEY AND SALTZMAN VOTING AYE AND COMMISSIONERS HANSEN, COLLIER AND MIGGINS VOTING NO. AMENDMENT NO. 8 UNANIMOUSLY APPROVED. AMENDMENT NO. 9 UNANIMOUSLY APPROVED. AMENDMENT NO. 16 UNANIMOUSLY APPROVED. UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER SALTZMAN, REVISION TO AMENDMENT NO. 10 (NO. 10-REV) UNANIMOUSLY APPROVED. AMENDMENT NO. 10 AS AMENDED UNANIMOUSLY APPROVED. AMENDMENT NO. 11 UNANIMOUSLY APPROVED. AMENDMENT NO. 12 UNANIMOUSLY APPROVED. AMENDMENT NO. 13 APPROVED WITH COMMISSIONERS KELLEY, HANSEN, COLLIER AND SALTZMAN VOTING AYE AND COMMISSIONER MIGGINS VOTING NO. UPON MOTION OF COMMISSIONER HANSEN, SECONDED BY COMMISSIONER KELLEY, REVISION TO AMENDMENT NO. 14 (NO. 14-REV) WAS UNANIMOUSLY APPROVED. AMENDMENT NO. 14 AS AMENDED UNANIMOUSLY APPROVED. AMENDMENT NO. 15 UNANIMOUSLY APPROVED. COMMISSIONER SALTZMAN MOVED AND AFTER PASSING THE GAVEL TO VICE-CHAIR HANSEN, COMMISSIONER MIGGINS SECONDED, APPROVAL OF SINGLE PROVIDER PROVISION (AMENDMENT NO. 17). BOARD COMMENTS. MOTION FAILED WITH COMMISSIONERS SALTZMAN AND MIGGINS VOTING AYE AND COMMISSIONERS KELLEY, HANSEN AND COLLIER VOTING NO. BOARD COMMENTS. VOTE ON ORDINANCE 772 AS AMENDED APPROVED WITH

COMMISSIONERS KELLEY, HANSEN, COLLIER AND
MIGGINS VOTING AYE AND COMMISSIONER SALTZMAN
VOTING NO.

PUBLIC COMMENT

R-9 *Opportunity for Public Comment on Non-Agenda Matters. Testimony Limited to
Three Minutes Per Person.*

There being no further business, the meeting was adjourned at 3:30 p.m.

OFFICE OF THE BOARD CLERK
for MULTNOMAH COUNTY, OREGON

DEBORAH L. BOGSTAD
Deborah L. Bogstad