

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

Tuesday, January 25, 2000 - 9:30 AM
Multnomah County Courthouse, Boardroom 602
1021 SW Fourth Avenue, Portland

EXECUTIVE SESSION

Chair Beverly Stein convened the meeting at 9:35 a.m., with Vice-Chair Serena Cruz, Commissioners Sharron Kelley, Diane Linn and Lisa Naito present.

- E-1 The Multnomah County Board Of Commissioners Will Meet in Executive Session Pursuant to ORS 192.660(1)(e) to Deliberate with Persons Designated to Negotiate Real Property Transactions. Only Representatives of the News Media and Designated Staff are allowed to Attend. Representatives of the News Media and All Other Attendees are Specifically Directed Not to Disclose Information that is the Subject of the Executive Session. Presented by Bob Oberst.**

EXECUTIVE SESSION HELD.

ADJOURNMENT

There being no further business, the briefing was adjourned at 9:45 a.m.

Tuesday, January 25, 2000 - 10:00 AM
Multnomah County Courthouse, Boardroom 602
1021 SW Fourth Avenue, Portland

BOARD BRIEFING

Chair Beverly Stein convened the meeting at 9:45 a.m., with Vice-Chair Serena Cruz, Commissioners Sharron Kelley, Diane Linn and Lisa Naito present.

- B-1 Public Safety Levy: Debrief January 18, 2000 County-Cities Meeting, Discuss Levy Process and Timing. Presented by Beverly Stein.**

CHAIR BEVERLY STEIN AND SHERIFF DAN NOELLE PRESENTATION AND RESPONSE TO BOARD DISCUSSION REGARDING PRIORITIES FOR PUBLIC SAFETY LEVY. CAROL FORD AND BETHANY WURST TO PROVIDE STAFF SUPPORT FOR CHAIR STEIN, SHERIFF NOELLE AND COMMISSIONER NAITO IN THEIR EFFORTS REGARDING NOVEMBER 2000 FIVE YEAR STAGED LEVY

PROPOSAL. FACILITIES DIRECTOR DAN BROWN TO SCHEDULE BOARD BRIEFING REGARDING JAIL CONSTRUCTION PROJECT.

ADJOURNMENT

There being no further business, the briefing was adjourned at 10:03 a.m.

Tuesday, January 25, 2000 - 10:30 AM
Multnomah County Courthouse, Boardroom 602
1021 SW Fourth Avenue, Portland

LAND USE PLANNING MEETING

Chair Beverly Stein convened the meeting at 10:35 a.m., with Vice-Chair Serena Cruz, Commissioners Sharron Kelley, Diane Linn and Lisa Naito present.

P-1 De Novo Hearing Before the Board of County Commissioners Regarding the Remanded Decision of an Application by Tim and Angela Schillereff for the Alteration of an Existing Non-Conforming Use for a Dog Kennel to Allow Up to 75 Dogs, on Property Located at 23200 NW REEDER ROAD, PORTLAND.

IN RESPONSE TO A REQUEST OF CHAIR STEIN, COUNTY COUNSEL SANDRA DUFFY EXPLAINED THAT COUNTY CODE DOES NOT PROVIDE FOR WHAT HAPPENS ON A REMAND, SO THERE ARE A NUMBER OF OPTIONS THE BOARD SHOULD CONSIDER BEFORE PROCEEDING IN THIS MATTER: THE BOARD CAN DECIDE TO PROCEED TO HOLD A HEARING TODAY; REMAND THE CASE BACK TO THE HEARINGS OFFICER FOR A DETERMINATION WHICH MAY OR MAY NOT BE APPEALED TO THE BOARD; OR THE BOARD CAN DETERMINE THAT THIS APPLICATION IS SO SUBSTANTIALLY DIFFERENT FROM THE ORIGINAL THAT IT SHOULD BE SUBMITTED TO STAFF AS A NEW APPLICATION AND START OVER FROM THE BEGINNING, WHICH WOULD REQUIRE A NEW APPLICATION FEE. MS. DUFFY EXPLAINED THAT IF THE BOARD DECIDES TO GO FORWARD WITH THE HEARING, AFTER LISTENING TO THE TESTIMONY, THE ARGUMENT OF COUNSEL AND THE ENTIRE RECORD IN THIS MATTER, THE BOARD COULD MAKE THE DETERMINATION TO APPROVE THE NON-CONFORMING USE BASED ON THE INFORMATION SUBMITTED BY THE APPLICANT, AND/OR APPROVE THE APPLICATION AS AN EXPANSION OF THE CONDITIONAL USE; AND IN THAT INSTANCE IT WOULD BE DETERMINED THAT A CONTINUANCE NEEDS TO OCCUR, AS MR. DERR WAS TOLD HE DID NOT NEED TO BRING HIS WITNESSES UNTIL NEXT WEEK. MS. DUFFY EXPLAINED IF THE BOARD APPROVES EITHER OR BOTH OF THESE REQUESTS, IT WOULD THEN DIRECT APPLICANT TO PREPARE FINDINGS AND AN ORDER THAT IMPLEMENTS THE BOARD DECISION; OR IF ONE REQUEST IS APPROVED AND THE OTHER IS NOT, THE BOARD WOULD THEN DIRECT STAFF TO PREPARE THE DENIAL AND THE APPLICANT TO PREPARE THE APPROVAL. MS. DUFFY EXPLAINED THE BOARD WOULD

TAKE TESTIMONY TODAY AND LEAVE THE RECORD OPEN AN ADDITIONAL SEVEN DAYS IN ORDER TO ALLOW OPPONENTS TO RESPOND TO ANY NEW EVIDENCE SUBMITTED, AND AT THE CLOSE OF THE RECORD, THE BOARD WOULD ALLOW APPLICANT AN ADDITIONAL SEVEN DAYS TO REBUT WHATEVER INFORMATION MR. DERR OR ANY OTHER PERSONS WHO COME FORWARD WITH EVIDENCE MIGHT PRESENT. MS. DUFFY EXPLAINED THAT AT A HEARING TO BE DESIGNATED LATER, THE BOARD WOULD THEN DELIBERATE AND MAKE A DECISION AND THE BOARD COULD DIRECT STAFF TO PREPARE A RECOMMENDATION BASED ON ALL THE INFORMATION SUBMITTED, AND THAT IT WOULD BE NECESSARY TO REOPEN THE HEARING TO PROVIDE THE PARTIES AN OPPORTUNITY TO RESPOND TO THE STAFF RECOMMENDATION. MS. DUFFY EXPLAINED THE BOARD ALSO HAS THE OPTION TO DENY ONE OR BOTH OF THE APPLICATIONS AND DIRECT STAFF TO PREPARE THAT ORDER. MS. DUFFY ADVISED THE ISSUES OF THE REMAND ARE: WHETHER A NON-CONFORMING USE HAS BEEN ESTABLISHED; WHETHER A NONCONFORMING USE STILL EXISTS OR HAS BEEN ABANDONED; THE NATURE AND EXTENT OF THAT NON-CONFORMING USE IF THE BOARD DETERMINES THAT ONE STILL EXISTS; AND WHETHER THE PROPOSED ALTERATION TO THE NON-CONFORMING USE MEETS THE CRITERIA UNDER THE CODE FOR ALTERING A NON-CONFORMING USE; AND REGARDING THE APPLICATION FOR CONDITIONAL USE: WHETHER A CONDITIONAL USE EXISTS FOR THE PROPERTY; AND WHETHER THE CRITERIA FOR AN EXPANSION OF THE CONDITIONAL USE MEETS THE CRITERIA IN THE CODE.

COMMISSIONER LINN COMMENTED IN SUPPORT OF COMMENCING A BOARD HEARING TODAY

COMMISSIONER CRUZ COMMENTED IN SUPPORT OF A MOTION TO REMAND THE CASE TO THE HEARINGS OFFICER FOR THE OPPORTUNITY OF CLARIFICATION OF THE COMPLEX QUESTIONS, PROVIDING FINDINGS AND STAFF RECOMMENDATIONS TO ASSIST THE BOARD.

COMMISSIONER CRUZ MOVED AND COMMISSIONER NAITO SECONDED, TO REMAND THE CASE TO THE HEARINGS OFFICER.

COMMISSIONER LINN ADVISED THERE ARE COSTS AND TIME INVOLVED WITH A REMAND TO THE HEARINGS OFFICER AND SUGGESTED THERE ARE ONLY A COUPLE OF STRAIGHTFORWARD ISSUES FOR THE BOARD TO DECIDE THE MATTER TODAY

COMMISSIONER NAITO COMMENTED IN SUPPORT OF OBTAINING HEARINGS OFFICER AND STAFF INPUT PRIOR TO A BOARD DECISION IN THIS MATTER.

IN RESPONSE TO COMMISSIONER KELLEY ASKING WHAT THE SPECIFIC ISSUES ARE AND WHAT AFFECT THE NON-CONFORMING USE CODE CHANGE

WILL HAVE ON THIS CASE, MS. DUFFY SUGGESTED HAVING THE ATTORNEYS FOR BOTH PARTIES ADDRESS THOSE ISSUES.

CHAIR STEIN REQUESTED THAT THE ATTORNEYS LIMIT THEIR COMMENTS TO THE PROCEDURE ONLY.

ED SULLIVAN, ATTORNEY FOR APPLICANTS TIM AND ANGELA SCHILLEREFF, ADVISED THE TWO APPLICATIONS BEFORE THE BOARD ARE AN EXPANSION OF A NON-CONFORMING USE AND A CONDITIONAL USE WHICH CAME UP IN 1995. MR. SULLIVAN EXPLAINED THE CONDITIONAL USE PERMIT WAS NOT ALLOWED BECAUSE THE STATE PASSED RULES SAYING THAT NO NEW KENNELS COULD BE ALLOWED ON THIS TYPE OF FARMLAND; THAT EXISTING COUNTY CODE PROVISION 2028 HAD BEEN ADMINISTERED IN A WAY THAT YOU DID NOT HAVE TO GO THROUGH THE CONDITIONAL USE PROCESS, HOWEVER IT WAS FOUND IN A 1994 PROCEEDING THAT NO, YOU HAVE TO GO THROUGH A CONDITIONAL USE PROCESS. MR. SULLIVAN ADVISED THEY THEN HAD A DECISION OUT OF THE BOARD, WHICH SAID THAT 2028 WOULD ALLOW YOU TO DEEM THIS NON-CONFORMING USE A CONDITIONAL USE, HOWEVER LUBA STRUCK THAT DOWN, AND IT ALSO STRUCK DOWN THE NON-CONFORMING USE EXPANSION, SAYING YOU HAVE TO ESTABLISH THE NATURE AND EXTENT OF THE USE. MR. SULLIVAN EXPLAINED WHEN THIS CASE CAME BACK THE SECOND TIME TO THE BOARD, THE BOARD DECIDED THAT THE CAPACITY OF THE KENNEL OUGHT TO BE THE MEASURE, HOWEVER LUBA STRUCK THAT DOWN AND SAID NO, YOU HAVE TO DO A DOG CENSUS AND LOOK AT THE NUMBER OF DOGS. MR. SULLIVAN EXPLAINED THEY HOPE TO PRESENT TODAY THAT THEY HAVE FOUR DOGS, THAT IT WAS ALREADY ESTABLISHED IN A LUBA OPINION, AND THEY WANT TO MAKE THE ARGUMENT THAT THE EXPANSION CAN GO FROM FOUR TO SEVENTY-FIVE WITHOUT HURTING THE NEIGHBORHOOD. MR. SULLIVAN ADVISED THE PRIMARY APPLICATION IS FOR A CONDITIONAL USE PERMIT, AND THAT THEY HAVE A LETTER FROM THE LAND CONSERVATION AND DEVELOPMENT COMMISSION SAYING IF YOU HAVE AN EXISTING USE YOU DON'T HAVE TO GO AND HAVE THIS AS YOUR FIRST CONDITIONAL USE WHICH WOULD OTHERWISE BE PROHIBITED UNDER THE RULES, YOU CAN USE THAT AS THE BASIS TO GO AHEAD AND ASK FOR A CONDITIONAL USE, WHICH IS WHAT THEY ARE ASKING THE BOARD TO DO TODAY. MR. SULLIVAN ADDED THEY HAVE ESTABLISHED ALL OF THE ELEMENTS FOR THE CONDITIONAL USE, THE BOARD ALREADY ADOPTED AN ORDER IN 1995 TO THAT EFFECT, AND THAT WHAT THE BOARD NEEDS TO DO IS PLUG THAT INTO THE SPECIFIC APPLICATION MADE IN 1995 BUT DEFERRED BECAUSE OF THE EXISTENCE OF THOSE RULES. MR. SULLIVAN EXPLAINED THEY NOW HAVE AN INTERPRETATION OF THE RULES, WHICH ALLOW US TO GO AHEAD, AND THAT THE BOARD DOES NOT NEED TO GO ANY FURTHER THAN THAT, AND THAT THEY CAN PUT THEIR CASE ON IN FIFTEEN MINUTES AND THE BOARD CAN PROCEED.

IN RESPONSE TO CHAIR STEIN'S REQUEST FOR COMMENT ON IMPACT OF ADDITIONAL RESTRICTIONS TO THE COUNTY CODE, MR. SULLIVAN ADVISED THIS APPLICATION WAS BROUGHT WELL BEFORE THAT AND WOULD NOT HAVE ANY AFFECT AT ALL. MS. DUFFY EXPLAINED IF APPLICANTS APPLIED ANEW, THE NEW RULES WOULD APPLY TO THEM.

LARRY DERR, ATTORNEY FOR NEIGHBOR/OPPONENT MARQUAM FARMS, EXPLAINED THAT HE WAS ONE OF THE FIRST COUNTY HEARINGS OFFICER AND THAT THE HEARINGS OFFICER PROCESS PROVIDES EACH CASE AN OPPORTUNITY IN A RELATIVELY UNLIMITED TIME AND UNLIMITED PROCEEDING, TO SIFT THROUGH THE FACTS, COMPARE THOSE TO THE LAW, WRITE A CONSIDERED OPINION AS TO THE RESULT, AND IN MOST CASES, THAT IS THE END OF THE CASE, AS THE PARTIES FROM BOTH SIDES ARE SATISFIED WITH THE DECISION. MR. DERR ADDED THAT IN THOSE CASES WHERE THE PARTIES ARE NOT SATISFIED, THERE IS ALWAYS THE APPEAL TO THE BOARD, AND WHEN IT COMES TO THE BOARD, THE BOARD HAS THE OPPORTUNITY TO MAKE THOSE CLOSE CALLS ON THE FACTS, THE OPPORTUNITY, IF THERE ARE SHADES OF GRAY IN INTERPRETATION OF ORDINANCES, TO MAKE THOSE INTERPRETATIONS, BUT THE BOARD DOES SO WITH A BACKGROUND OF A CAREFULLY CONSIDERED RECOMMENDATION AND TENTATIVE DECISION. MR. DERR EXPLAINED THAT BY COMPARISON, FIVE YEARS AGO THE COUNTY HAD A HEARINGS OFFICER PRODUCE A 110 PAGE DECISION IN THIS CASE. THAT ON TWO APPEALS TO LUBA AND TO THE COURT OF APPEALS, EVERY SINGLE FINDING IN THAT DECISION WAS EITHER REVERSED OR DISCREDITED AND SENT BACK TO THE BOARD FOR FURTHER REVIEW AND THAT THIS BOARD DOES NOT HAVE A HEARINGS OFFICER DECISION IT CAN USE AS A STARTING POINT TO REVIEW A NUMBER OF COMPLEX FACTUAL AND LEGAL ISSUES. MR. DERR EXPLAINED THAT WHILE A GREAT DEAL OF TIME HAS PASSED AND A NUMBER OF HEARINGS HAVE OCCURRED, THE APPLICANTS HAVE HAD THE BENEFIT OF THE LAW THAT THEY CAN GO AHEAD AND ACT ON THE COUNTY'S APPROVAL EVEN THOUGH IT IS ON APPEAL, WHICH THEY HAVE DONE, THEY BUILT THEIR NEW KENNEL AND ARE OPERATING IT, AND NOTHING WOULD CHANGE TOMORROW IF THE BOARD APPROVES THIS DECISION, SO THEY ARE NOT UNDER ANY TIME CONSTRAINT TO GET THIS RESOLVED FROM THE STANDPOINT OF INTERFERING WITH THEIR BUSINESS. MR. DERR ADDED THAT THE PEOPLE WHO ARE UNDER TIME CONSTRAINTS ARE HIS CLIENTS AND OTHER PEOPLE IN THE NEIGHBORHOOD WHO ARE SUFFERING THE ADVERSE AFFECTS OF THIS APPLICATION. MR. DERR ADVISED THAT A HEARINGS OFFICER REMAND MAKES SENSE AND IS THE APPROPRIATE THING TO DO IN THIS CASE; THAT SOME OF THE DISPUTED ISSUES ARE THE BASIC QUESTION OF WHETHER OR NOT THERE IS A NON-CONFORMING USE, AND THE FACT THAT APPLICANTS HAVE FINALLY CONCEEDED THEY HAVE NO MORE THAN FOUR DOGS IS NOT THE END OF THE INQUIRY. MR. DERR EXPLAINED THE COURT OF APPEALS POINTED OUT IN ITS DECISION THAT WHEN THIS BOARD REVIEWS THE ISSUE AS TO WHAT IS THE SCOPE AND NATURE OF THE NONCONFORMING USE, IT

HAS TO LOOK AT WHETHER THERE IS A NON-CONFORMING USE AT ALL, BECAUSE WHEN IT GETS INTO THOSE DISPUTED FACTS, IT WILL HAVE TO WEIGH EVIDENCE THAT SAID THERE WERE NOT FOUR DOGS AGAINST EVIDENCE THAT SAID THERE WAS, AND IT WILL HAVE TO LOOK AT WHAT KIND OF A USE IT IS. MR. DERR EXPLAINED THAT COUNTY CODE DEFINES KENNELS AS A WHOLE VARIETY OF THINGS RANGING FROM SIMPLY HAVING FOUR ADULT DOGS, WHICH A PRIVATE INDIVIDUAL MIGHT HAVE, TO BOARDING DOGS, TRAINING DOGS, RAISING DOGS, AND THE BOARD HAS TO DECIDE IF ANY OR ALL OF THOSE THINGS WERE GOING ON IN ORDER TO FULLY DEFINE THE NONCONFORMING USE SO THAT IT CAN THEN COMPARE THE RELATIVE IMPACT TO WHAT THE APPLICANTS WANT TO DO AND ARE DOING TODAY. MR. DERR ADDED THAT THE LETTER THAT APPLICANTS OBTAINED FROM THE LAND CONSERVATION AND DEVELOPMENT COMMISSION STAFF STATES THAT THE LAND CONSERVATION AND DEVELOPMENT COMMISSION RULE DOES NOT PRECLUDE APPLICATION OF THE CONDITIONAL USE CRITERIA, AND THAT NOTHING IN THAT RULE CAN ENABLE IT, AND THAT THE COUNTY ESSENTIALLY HAD THAT DECISION MADE BY LUBA AND THE COURT OF APPEALS IN THE APPLICATION OF THE COUNTY'S 2028 RULE. MR. DERR ADDED THERE ARE SOME PRETTY TOUGH LEGAL AND COMPLEX FACTUAL ISSUES HERE WHICH THE BOARD IS CERTAINLY COMPETENT TO DEAL WITH, HOWEVER HE BELIEVES THE BOARD WOULD HAVE A RUNNING START AT IT IF IT HAD A WELLCONSIDERED HEARINGS OFFICER OPINION FIRST.

CHAIR STEIN ADVISED SHE SUPPORTS COMMISSIONERS CRUZ AND NAITO'S POSITION ON THIS, THAT SHE UNDERSTANDS THE ISSUES AND IS CONCERNED ABOUT THE MONEY, BUT FEELS THE COUNTY COULD END UP BEING PENNY WISE AND POUND FOOLISH. CHAIR STEIN ADVISED SHE DOES NOT WANT HER POSITION TO BE INDICATIVE OF PREJUDICE TO EITHER PARTY, BUT FEELS IT MAKES SENSE TO HAVE THIS FRAMED APPROPRIATELY BY A HEARINGS OFFICER.

COMMISSIONER LINN STATED THAT FOR HER THIS PERSONIFIES THE DIFFICULTIES OF THE MIXED USES ON SAUVIE ISLAND AND THE STRUGGLE WITH SUPPORTING THE VARIOUS USES ON THE ISLAND. COMMISSIONER LINN EXPRESSED APPRECIATION FOR THE CITIZENS WHO CAME PREPARED TODAY TO TESTIFY.

CHAIR STEIN STATED SHE HOPES TO COME TO A BETTER DECISION THAT IS MORE SOLID BY APPROACHING IT IN THIS MANNER EVEN THOUGH IT IS A DELAY AND ADVISED THAT THE BOARD APPRECIATES EVERYONE COMING TODAY.

MOTION TO REMAND THE CASE TO THE HEARINGS OFFICER APPROVED, WITH COMMISSIONERS KELLEY, NAITO, CRUZ AND STEIN VOTING AYE, AND COMMISSIONER LINN VOTING NO.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:59 a.m.

Thursday, January 27, 2000 - 9:30 AM
Multnomah County Courthouse, Boardroom 602
1021 SW Fourth Avenue, Portland

REGULAR MEETING

Chair Beverly Stein convened the meeting at 9:35 a.m., with Vice-Chair Serena Cruz, Commissioners Sharron Kelley, Diane Linn and Lisa Naito present.

CONSENT CALENDAR

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER LINN, THE CONSENT CALENDAR (ITEMS C-1 THROUGH C-2) WAS UNANIMOUSLY APPROVED.

SHERIFF'S OFFICE

C-1 Renewal of Intergovernmental Revenue Agreement 0011089 with Oregon Department of Transportation, Providing Motor Carrier Safety Program Services through September 30, 2000

DEPARTMENT OF ENVIRONMENTAL SERVICES

C-2 ORDER Authorizing Amendment to Purchase and Sale Agreement to Purchaser Waxman & Associates, Inc.

ORDER 00-015.

REGULAR AGENDA

PUBLIC COMMENT

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

No public comments were made.

NON-DEPARTMENTAL

R-2 RESOLUTION Authorizing Mt. Hood Cable Regulatory Commission to Develop and Negotiate Competitive Cable and Telecommunications Franchise Agreements

COMMISSIONER KELLEY MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF R-2. ROYAL HARSHMAN AND DAVID OLSON EXPLANATION AND RESPONSE TO BOARD QUESTIONS AND COMMENTS IN SUPPORT. RESOLUTION 00-016 UNANIMOUSLY APPROVED.

R-3 Second Reading and Possible Adoption of an ORDINANCE Amending Ordinance No. 937 Adding New Provisions to Multnomah County Code Chapter 21 Relating to Workplace Hazards to Add an Exemption from Smoke-Free Workplaces for Truck Stops in Multnomah County

ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER LINN MOVED AND COMMISSIONER NAITO SECONDED, APPROVAL OF SECOND READING AND ADOPTION. NO ONE WISHED TO TESTIFY. ORDINANCE 939 UNANIMOUSLY APPROVED.

DEPARTMENT OF SUPPORT SERVICES

R-4 RESOLUTION Authorizing Letter of Intent and Publication of a Notice of Intent to Issue Revenue Bonds Relating to the Issuance and Negotiated Sale of Education Facilities Revenue Bonds, Series 2000 (University of Portland Project), in an Amount Not Exceeding \$19,000,000

COMMISSIONER KELLEY MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF R-4. DAVE BOYER EXPLANATION. ROY HENDRICKS OF THE UNIVERSITY OF PORTLAND COMMENTS IN SUPPORT. BOARD COMMENTS IN SUPPORT. RESOLUTION 00-017 UNANIMOUSLY APPROVED.

DEPARTMENT OF ENVIRONMENTAL SERVICES

R-5 First Reading of an ORDINANCE Amending the Nonconforming Use Section of the Multnomah County Zoning Ordinance to Comply with ORS 215.130

ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER KELLEY MOVED AND COMMISSIONER LINN SECONDED, APPROVAL OF FIRST READING. PLANNING STAFF GARY CLIFFORD AND ROBERT HALL AND PLANNING COMMISSIONER CHRIS FOSTER EXPLANATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION. COUNTY COUNSEL TOM SPONSLER RESPONSE TO BOARD QUESTIONS REGARDING REBUTTTABLE PRESUMPTION AND CLARIFICATION OF STATE LAW. STAFF DIRECTED TO TRACK AFFECTED

APPLICATIONS. NO ONE WISHED TO TESTIFY. FIRST READING UNANIMOUSLY APPROVED. SECOND READING THURSDAY, FEBRUARY 3, 2000.

R-6 RESOLUTION Establishing Fees and Charges for Chapter 29, Building Regulations, of the Multnomah County Code and Repealing Resolution No. 98-91

COMMISSIONER KELLEY MOVED AND COMMISSIONER LINN SECONDED, APPROVAL OF R-6. JOHN DORST OF THE DEPARTMENT OF ENVIRONMENTAL SERVICES AND DENISE KLINE OF THE CITY OF PORTLAND OFFICE OF PLANNING AND DEVELOPMENT REVIEW EXPLANATION AND RESPONSE TO BOARD QUESTIONS AND CONCERNS REGARDING FEE INCREASES. RESOLUTION 00-018 UNANIMOUSLY APPROVED.

R-7 Intergovernmental Abandonment and Retention Agreement 0011057 with Oregon Department of Transportation to Abandon a Portion of Sandy Blvd. at 207th Avenue East to I-84 Section NE Portland Highway (NE Sandy Blvd.), State Highway No. 123 in Multnomah County

COMMISSIONER KELLEY MOVED AND COMMISSIONER LINN SECONDED, APPROVAL OF R-7. JOHN DORST EXPLANATION. AGREEMENT UNANIMOUSLY APPROVED.

CHAIR STEIN AND THE BOARD ACKNOWLEDGED JOHN DORST FOR HIS TWENTY YEARS OF SERVICE TO THE COUNTY AND WISHED HIM WELL IN HIS NEW JOB WITH THE CITY OF GRESHAM.

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:45 a.m.

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