

# ANNOTATED MINUTES

Tuesday, November 28, 1995 - 10:30 AM  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland

## BOARD BRIEFING

*Chair Beverly Stein convened the meeting at 10:32 a.m., with Vice-Chair Sharron Kelley, Commissioners Gary Hansen and Tanya Collier present, and Commissioner Dan Saltzman excused.*

- B-1 Information on Substance Abuse Challenges in Multnomah County and Update on Alcohol and Drug Program Office Efforts in Developing and Implementing Coordinated and Collaborative Systemwide Improvements. Presented by Norma Jaeger and Mike Finigan.

### ***NORMA JAEGER AND MICHAEL FINIGAN PRESENTATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION.***

*There being no further business, the meeting was adjourned at 11:50 a.m.*

---

Tuesday, November 28, 1995 - 1:30 PM  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland

## DE NOVO HEARING

*Chair Beverly Stein convened the meeting at 1:35 p.m., with Vice-Chair Sharron Kelley, Commissioners Gary Hansen, Tanya Collier and Dan Saltzman present.*

- P-1 CU 4-95/MC 1-95 DE NOVO HEARING, 20 MINUTES PER SIDE Regarding Appeal of Hearings Officer Decision, APPROVING, Conditional Use Permit to Operate and Maintain a Dog Kennel Facility in an EFU (Exclusive Farm Use) District, and Expand Existing 50 Dog Kennel Facilities to Allow No More than 75 Dogs; and APPROVING Alternate Request for Resumption and

Expansion of a Non-Conforming Use, on Property Located at 23200 NW  
REEDER ROAD

*AT CHAIR STEIN'S REQUEST THERE WERE NO OBJECTIONS TO 1000 FRIENDS OF OREGON AND OREGON DEPARTMENT OF JUSTICE APPEARING TO TESTIFY IN OPPOSITION TO THE HEARINGS OFFICER DECISION. 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. PLANNER BARRY ADAMSON PRESENTED HEARINGS OFFICER CONDITIONS, FINDINGS OF FACT AND CRITERIA USED IN DETERMINATION TO APPROVE ALTERNATE REQUEST FOR RESUMPTION AND EXPANSION OF NON-CONFORMING USE APPLICATION. LARRY DERR, ATTORNEY FOR APPELLANT MARQUAM FARMS, TESTIFIED IN OPPOSITION TO THE HEARINGS OFFICER. ASSISTANT ATTORNEY GENERAL CELESTE DOYLE PRESENTED ORAL AND WRITTEN TESTIMONY ADVISING THE HEARINGS OFFICER MISINTERPRETED CERTAIN LAND CONSERVATION AND DEVELOPMENT COMMISSION ADMINISTRATIVE RULES WHICH LED TO INCORRECT CONCLUSIONS OF LAW AND FINAL DECISIONS. ED SULLIVAN, ATTORNEY FOR APPLICANTS ANGELA AND TIM SCHILLEREFF, TESTIFIED IN SUPPORT OF HEARINGS OFFICER DECISION AND IN OPPOSITION TO MR. DERR'S REQUEST FOR CONTINUANCE. ANGELA AND TIM SCHILLEREFF TESTIMONY IN SUPPORT OF HEARINGS OFFICER DECISION. IN RESPONSE TO CHAIR STEIN'S REQUEST FOR CONTINUANCE OR OBJECTION TO HEARING AND IN RESPONSE TO A QUESTION OF COMMISSIONER SALTZMAN, MR. DERR AND MR. SULLIVAN DEBATED CONTINUANCE REQUEST.*

COUNTY COUNSEL JOHN DUBAY ADVISED GRANTING AN ADDITIONAL HEARING IS AT THE BOARD'S DISCRETION. NO MOTION. MR. DERR THEN REQUESTED THAT THE RECORD BE HELD OPEN IN ORDER TO RESPOND TO TODAY'S TESTIMONY. NO MOTION. HEARING CLOSED. MR. DUBAY RESPONSE TO BOARD QUESTIONS CONCERNING BOARD OPTIONS TO AFFIRM, AMEND AND/OR REVERSE THE HEARINGS OFFICER DECISION. COUNTY COUNSEL JOHN DUBAY AND PLANNER BOB HALL RESPONSE TO BOARD QUESTIONS REGARDING CODE PROVISIONS, CONTINUITY AND ABANDONMENT ISSUES. COMMISSIONER SALTZMAN MOVED, SECONDED BY COMMISSIONER COLLIER, TO AFFIRM THE HEARINGS OFFICER DECISION. FOLLOWING DISCUSSION IN RESPONSE TO A CLARIFICATION QUESTION OF MR. DUBAY, AND UPON MOTION OF COMMISSIONER SALTZMAN, SECONDED BY COMMISSIONER COLLIER, IT WAS UNANIMOUSLY APPROVED THAT THE HEARINGS OFFICER DECISION BE AFFIRMED AND THAT THE LANGUAGE CONTAINED IN PAGES 69-71 OF THE HEARINGS OFFICER DECISION BE STRICKEN. (FINAL ORDER 95-248 FILED DECEMBER 4, 1995). CHAIR STEIN ADVISED ALL PARTIES WILL RECEIVE A COPY OF THE BOARD'S WRITTEN DECISION, WHICH MAY BE APPEALED TO LUBA.

*There being no further business, the meeting was adjourned at 2:50 p.m.*

---

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

## **REGULAR MEETING**

*Chair Beverly Stein convened the meeting at 9:35 a.m., with Vice-Chair Sharron Kelley, Commissioners Tanya Collier and Dan Saltzman present, and Commissioner Gary Hansen excused.*

### **CONSENT CALENDAR**

***AT THE REQUEST OF CHAIR STEIN AND UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER COLLIER, CONSENT CALENDAR ITEMS C-1 THROUGH C-5 AND C-7 THROUGH C-11 WERE UNANIMOUSLY APPROVED.***

### **SHERIFF'S OFFICE**

- C-1 Package Store Liquor License Renewal for BIG BEAR CROWN POINT MARKET, 31815 E CROWN POINT HIGHWAY, TROUTDALE
- C-2 Package Store Liquor License Renewal for CORBETT COUNTRY MARKET, 36801 NE CROWN POINT HIGHWAY, CORBETT
- C-3 Package Store Liquor License Renewal for ORIENT COUNTRY STORE, 29822 SE ORIENT DRIVE, GRESHAM
- C-4 Retail Malt Beverage Liquor License Renewal for WILD WOOD GOLF COURSE, 21881 NW ST HELENS ROAD, PORTLAND
- C-5 Restaurant Liquor License Renewal for BIG BEAR CROWN POINT MARKET, 31815 E CROWN POINT HIGHWAY, TROUTDALE

### **DEPARTMENT OF COMMUNITY AND FAMILY SERVICES**

- C-7 Amendment to Intergovernmental Agreement 102236 with the City of Fairview for the Fairview Avenue Sanitary Sewer Trunk Replacement and Depot Street Storm Drain Project

- C-8 Amendment to Intergovernmental Agreement 102246 with the City of Troutdale to Include an Expanded Retaining Wall for the SE 4th Street Improvement Project
- C-9 Amendment to Intergovernmental Agreement 102306 with Oregon Mental Health Division Pertaining to Alcohol and Drug Program Special Projects
- C-10 Intergovernmental Revenue Agreement 103666 with the City of Portland for Funding Vulnerable and Homeless Outreach Network (VAHON) Services
- C-11 Budget Modification CFSD 4 Adding \$1,277,023 HUD Supportive Housing Program and City of Portland Vulnerable and Homeless Outreach Network (VAHON) Funds to the Community Action Program Office Budget

**DEPARTMENT OF JUVENILE JUSTICE SERVICES**

- C-6 Intergovernmental Revenue Agreement 700226 with the United States Marshals Service for Use of the Detention Complex to Hold Youth Charged with or Convicted of Violations of Federal Law or Held as Material Witness

*AT THE REQUEST OF CHAIR STEIN AND UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER SALTZMAN, C-6- WAS UNANIMOUSLY POSTPONED INDEFINITELY.*

*AT THE REQUEST OF CHAIR STEIN AND UPON MOTION OF COMMISSIONER COLLIER, SECONDED BY COMMISSIONER KELLEY, CONSIDERATION OF THE FOLLOWING ITEM WAS UNANIMOUSLY APPROVED.*

**SHERIFF'S OFFICE**

- UC-1 Retail Malt Beverage Liquor License Renewal for BOTTOMS UP!, 16900 NW ST HELENS ROAD

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

**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.*

## DEPARTMENT OF COMMUNITY AND FAMILY SERVICES

- R-2 Presentation of the National Association for County and Community Economic Development (NACCED) 1995 Award of Excellence to Unlimited Choices, Inc.'s "Adapt-A-Home" Program

*CHAIR STEIN PRESENTATION TO BOARD MEMBERS AND STAFF OF UNLIMITED CHOICES, AND ACKNOWLEDGEMENT OF TECHNICAL COUNTY STAFF CECILE PITTS, KAREN WHITTLE AND JANET HAWKINS. DEBORAH WRIGHT COMMENTS IN RESPONSE.*

## DEPARTMENT OF ENVIRONMENTAL SERVICES

- C-12 Budget Modification DES 6 Reclassifying a Vacant Carpenter Position into a Construction Projects Specialist in the Refurbished Section of Facilities Operations and Maintenance and Converting Temporary Carpenter Hours into a Full-time Carpenter Position

*COMMISSIONER KELLEY MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF C-12. KRIS HARDWICK EXPLANATION AND RESPONSE TO QUESTIONS OF COMMISSIONER SALTZMAN. BUDGET MODIFICATION UNANIMOUSLY APPROVED.*

## NON-DEPARTMENTAL

- R-3 RESOLUTION Adopting Citizen Involvement as a Top Priority of the County and Citizen Involvement Principles as a Guide to all County Departments and Divisions

*COMMISSIONER KELLEY MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL*

***OF R-3. DERRY JACKSON EXPLANATION AND COMMENTS IN SUPPORT. CELIA HERON, TOM MARKGRAF, LAUREL BUTMAN, KAY DURTSCHI AND KATHLEEN TODD TESTIMONY IN SUPPORT. RESOLUTION 95-245 UNANIMOUSLY APPROVED.***

**DEPARTMENT OF COMMUNITY AND FAMILY SERVICES**

- R-9 Memorandum of Agreement with the United States Department of Housing and Urban Development, State of Oregon and City of Portland, Reaffirming the Designation of Portland, Multnomah County, Oregon as an Enterprise Community and Memorializing Various Contractual Requirements

***COMMISSIONER SALTZMAN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-9. LOLENZO POE, REGENA WARREN, CAROL CHISM, CARL TALTON AND RON HERNDON EXPLANATION, COMMENTS IN SUPPORT AND RESPONSE TO BOARD QUESTIONS AND COMMENTS IN SUPPORT. MEMORANDUM OF AGREEMENT UNANIMOUSLY APPROVED.***

- R-10 Intergovernmental Agreement 103646 with the Oregon Department of Human Resources and the City of Portland, to Administer Social Service Block Grant Funds for Enterprise Zone Community Development and Economic Opportunity Programs/Projects in Portions of North/Northeast Portland and the Commercial Downtown Business District

***UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER COLLIER, THE INTERGOVERNMENTAL AGREEMENT (R-10) WAS UNANIMOUSLY APPROVED.***

- R-12 PUBLIC HEARING and Request for Board Action on the 1995 Affordable Housing Development Program Technical Review Committee Recommendations on the Disposition of Tax Foreclosed Property for Housing Purposes. Presented by Cecile Pitts and HC Tupper.

***COMMISSIONER KELLEY MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF R-12. CECILE PITTS AND HC TUPPER EXPLANATION AND RESPONSE TO BOARD***

*QUESTIONS. BRUCE MELKONIAN TESTIMONY IN OPPOSITION TO RECOMMENDATION TO APPROVE HUMAN SOLUTIONS APPLICATION FOR PROJECT 25/26, AND IN FAVOR OF AWARDED PROJECT 25/26 TO NETWORK BEHAVIORAL HEALTHCARE, DUE TO LESS IMPACT ON THE NEIGHBORHOOD IN TERMS OF PEOPLE AND CARS. CRAIG KELLEY TESTIMONY IN SUPPORT OF RECOMMENDATION TO APPROVE APPLICATION OF PORTLAND COMMUNITY REINVESTMENT INITIATIVES. NEAL BEROZ OF NETWORK BEHAVIORAL HEALTHCARE PROVIDED WRITTEN AND ORAL TESTIMONY SUGGESTING PROCESS CHANGES IN THE PROGRAM FOR FUTURE APPLICATIONS. DIANE MEISENHELTER TESTIMONY IN SUPPORT OF RECOMMENDATIONS. CYNTHIA WINTER TESTIMONY IN SUPPORT OF RECOMMENDATION TO APPROVE PORTLAND HABITAT FOR HUMANITY APPLICATIONS. JEFF MERKLEY TESTIMONY IN SUPPORT OF RECOMMENDATION TO APPROVE BOTH HUMAN SOLUTIONS APPLICATIONS AND RESPONSE TO QUESTIONS OF COMMISSIONER SALTZMAN REGARDING MR. MELKONIAN'S CONCERNS REGARDING INCREASED PEDESTRIAN AND AUTO TRAFFIC. DOUG GLANCY TESTIMONY IN SUPPORT OF RECOMMENDATION TO APPROVE REACH CDC APPLICATION. TERRI HINSON TESTIMONY IN SUPPORT OF RECOMMENDATION TO APPROVE CDC APPLICATION. DAVID JAY-BUNN TESTIMONY IN SUPPORT OF RECOMMENDATION TO APPROVE ROSE CDC APPLICATIONS. CARMEN SCHLEIGER TESTIMONY IN SUPPORT OF RECOMMENDATION TO APPROVE HOUSING OUR FAMILIES APPLICATIONS. KAREN VOISS TESTIMONY IN SUPPORT OF RECOMMENDATION TO APPROVE FRANCISCAN ENTERPRISE APPLICATIONS. MS. PITTS RESPONSE TO BOARD QUESTIONS. ORDER 95-246 UNANIMOUSLY APPROVED. BOARD COMMENTS IN SUPPORT. STAFF DIRECTED TO UTILIZE THE SUGGESTIONS*

***OF MR. BEROZ WHEN REVISING AFFORDABLE HOUSING DEVELOPMENT PROGRAM HOUSING POLICIES AND PROCESS.***

- R-11 Budget Modification CFSD 7 Reallocating Existing Revenues within the Community Action Program Office Budget and Adding \$100,000 in City of Portland Revenue to Fund a Homeless Shelter to be Operated by the

***COMMISSIONER SALTZMAN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-11. REY ESPAÑA EXPLANATION. BOARD COMMENTS IN SUPPORT. BUDGET MODIFICATION UNANIMOUSLY APPROVED.***

**NON-DEPARTMENTAL**

- R-4 Second Reading and Adoption 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 KELLEY MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF SECOND READING AND ADOPTION. ORDINANCE 840 UNANIMOUSLY APPROVED.***

- R-5 Second Reading and Adoption of an ORDINANCE Amending MCC Chapter 2.30 (County Administrative Departments) in Order to More Efficiently Align Departmental Responsibilities; Creating the Department of Support Services

***ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER KELLEY MOVED AND COMMISSIONER SALTZMAN SECONDED, APPROVAL OF SECOND READING AND ADOPTION. LAURENCE KRESSEL ADVISED FLEET AND ELECTRONICS ACCIDENTALLY OMITTED. UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER SALTZMAN, AN AMENDMENT TO PAGE 3, ADDING "(M) PROVIDE FLEET AND ELECTRONIC SERVICES" WAS UNANIMOUSLY APPROVED.***

***ORDINANCE 841 UNANIMOUSLY APPROVED, AS AMENDED.***

**DEPARTMENT OF ENVIRONMENTAL SERVICES**

- R-6 First Reading of an ORDINANCE Amending Governments Eligible for Refunds of Motor Vehicle Fuel Taxes Imposed by Multnomah County Under MCC 5.30.270

***ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER COLLIER MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF FIRST READING. TOM GUINEY EXPLANATION. NO ONE WISHED TO TESTIFY. FIRST READING UNANIMOUSLY APPROVED. SECOND READING THURSDAY, DECEMBER 4, 1995.***

- R-7 Intergovernmental Agreement 300816 with State of Oregon Allowing State to Purchase Fleet Services Including the Use of County Vehicles, Fuel, Maintenance Services, and Other Related Services on an As Needed and As Available Basis

***COMMISSIONER COLLIER MOVED AND COMMISSIONER SALTZMAN SECONDED, APPROVAL OF R-7. TOM GUINEY EXPLANATION AND RESPONSE TO BOARD QUESTIONS CONCERNING R-7 AND R-8. AGREEMENT UNANIMOUSLY APPROVED.***

- R-8 Intergovernmental Agreement 300826 with the State of Oregon Allowing County to Purchase Fleet Services Including the Use of State Vehicles, Fuel, Maintenance Services, and Other Related Services on an As Needed and As Available Basis

***UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER COLLIER, THE INTERGOVERNMENTAL AGREEMENT WAS UNANIMOUSLY APPROVED.***

*There being no further business, the regular meeting was adjourned at 11:20*

*a.m.*

Thursday, November 30, 1995 - 11:30 AM  
(OR IMMEDIATELY FOLLOWING REGULAR AGENDA)  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland

## **BOARD BRIEFING**

*Chair Beverly Stein convened the meeting at 11:25 a.m., with Vice-Chair Sharron Kelley and, Commissioner Dan Saltzman present, and Commissioners Gary Hansen and Tanya Collier excused.*

- B-2 Jobs Plus and the Implementation of SB 1117 (Chapter 816) Requiring Parent of Child Receiving Aid to Dependent Children to Participate in Applicable Job Training, Education and Mental Health or Drug Addiction Programs. Presented by Robin Scapple.

***ROBIN SCAPPLE, ART HAWLEY AND JERRY BURNS PRESENTATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION.***

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

OFFICE OF THE BOARD CLERK  
FOR MULTNOMAH COUNTY, OREGON

***Deborah L. Bogstad***

Deborah L. Bogstad