

ANNOTATED MINUTES

Tuesday, September 24, 1991 - 9:30 AM
Multnomah County Courthouse, Room 602

PLANNING ITEMS

Chair Gladys McCoy convened the meeting at 9:37 a.m., with Commissioners Pauline Anderson, Sharron Kelley and Gary Hansen present.

P-1 through P-4 are September 3, 1991 Decisions of the Planning Commission Reported to the Multnomah County Board of Commissioners for Acceptance and Implementation:

P-1 ZC 7-91 APPROVED, Subject to Conditions, Amendment to Sectional Zoning Map #414, Changing the Subject Property from LR-7, Low Density Residential District, to HR-2, High Density Residential District, for Property Located at 4412 SE 122ND AVENUE

DECISION REPORTED, NO APPEAL FILED, DECISION ACCEPTED.

Vice-Chair Rick Bauman arrived at 9:38 a.m.

P-2 CU 14-91 DENIED Conditional Use Request for Development of Subject Property with a Non-Resource Related Single Family Residence, for Property Located at 17050 NW SKYLINE BOULEVARD

SCOTT PEMBLE REPORTED AN APPEAL WAS FILED AND PRESENTED RECOMMENDED HEARING DATE AND SCOPE OF REVIEW. UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER BAUMAN, IT WAS UNANIMOUSLY APPROVED THAT A HEARING BE SCHEDULED AT 9:00 AM, TUESDAY, OCTOBER 8, 1991, ON THE RECORD, WITH TESTIMONY LIMITED TO 10 MINUTES PER SIDE.

P-3 CU 15-91 DENIED Conditional Use Request for a Non-Resource Related Single Family Residence on Subject Lot of Record in the MUF-19 (Multiple Use Forest) District, for Property Located at 16745 NW McNAMEE ROAD

MR. PEMBLE REPORTED AN APPEAL WAS FILED AND PRESENTED RECOMMENDED HEARING DATE AND SCOPE OF REVIEW. UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER BAUMAN, IT WAS UNANIMOUSLY APPROVED THAT A HEARING BE SCHEDULED AT 9:30 AM, TUESDAY, OCTOBER 22, 1991, DE NOVO, WITH TESTIMONY LIMITED TO 10 MINUTES PER SIDE.

P-4 CU 19-91 APPROVED, Subject to Conditions, Conditional Use Request for

Development of Subject Property with a Non-Resource Related Single Family Residence, for Property Located at 17005 NW ELLIOTT ROAD

DECISION REPORTED, NO APPEAL FILED, DECISION ACCEPTED.

P-5

CS 22-83a HEARING, ON THE RECORD, 10 MINUTES PER SIDE, in the Matter of DENIAL of a Requested Appeal of the Planning Director's Decision in CS 22-83a and an APPROVAL of the Planning Director's Decision that "Substantial Construction or Development" Took Place Within Two Years of the Approval of CS 22-83 and the Community Service Designation is Still Valid to Allow Further Construction of a Television Tower and Transmission Building, for Property Located at 160 NW MILLER ROAD

MR. PEMBLE PRESENTED THE STAFF REPORT AND RESPONDED TO BOARD QUESTIONS. STEVEN MOSKOWITZ TESTIMONY IN SUPPORT OF APPROVAL OF A COMMUNITY SERVICE DESIGNATION FOR PROPERTY AND RESPONSE TO BOARD QUESTIONS. JOHN DuBAY RESPONSE TO BOARD QUESTIONS. EARL GROVE TESTIMONY. UPON MOTION OF COMMISSIONER BAUMAN, SECONDED BY COMMISSIONER KELLEY, THE TESTIMONY LIMIT WAS UNANIMOUSLY EXTENDED TO 14 MINUTES PER SIDE. ALEX PIERCE AND MEL ZUCKER TESTIMONY AND RESPONSE TO BOARD QUESTIONS. EVERETT JACK TESTIMONY AND RESPONSE TO BOARD QUESTIONS. MR. DuBAY DISCLOSED A POSSIBLE CONFLICT OF INTEREST DUE TO HIS PRIOR OCCUPATION AS REFEREE IN A 1984 OR 1985 LAND USE BOARD OF APPEALS HEARING CONSIDERING THIS APPLICATION. ATTORNEYS FOR APPELLANT AND APPLICANT ADVISED THEY HAD NO OBJECTION TO MR. DuBAY REPRESENTING THE COUNTY ON THIS MATTER. MR. PEMBLE, MARK HESS AND MR. DuBAY RESPONSE TO BOARD QUESTIONS AND DISCUSSION. COMMISSIONER HANSEN MOVED, SECONDED BY COMMISSIONER KELLEY, TO AFFIRM THE PLANNING COMMISSION AND PLANNING DIRECTOR DECISIONS IN THE MATTER OF A DETERMINATION OF SUBSTANTIAL CONSTRUCTION FOR AN APPROVED COMMUNITY SERVICE DESIGNATION FOR A TELEVISION TOWER AND TRANSMISSION BUILDING. BOARD COMMENTS. DECISION AFFIRMED, WITH COMMISSIONERS KELLEY, HANSEN AND McCOY VOTING AYE, AND COMMISSIONERS ANDERSON AND BAUMAN VOTING NO.

P-6

CU 6-91 HEARING, ON THE RECORD WITH ADDITIONAL TESTIMONY, APPELLANT ALLOWED 15 MINUTES FOR SCOPE OF FARM USE AND IMPACTS, 45 MINUTES PER SIDE, 1-1/2 HOURS TOTAL, in the Matter of an Appeal of the June 3, 1991 Planning Commission Decision APPROVING, SUBJECT

TO CONDITIONS, a Requested Conditional Use Permit for a Commercial Activity that is in Conjunction with Farm Uses in the EFU (Exclusive Farm Use) Zoning District, for Property Located at 9833 NW CORNELIUS PASS ROAD

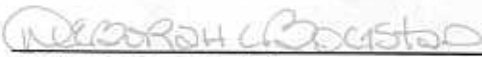
MR. HESS PRESENTED STAFF REPORT AND SLIDES.

The meeting was recessed at 10:55 a.m. and reconvened at 11:00 a.m.

MR. HESS RESPONSE TO BOARD QUESTIONS. DAVID ROY, BOBBIE LORENCE, MARK BATES, RALPH JONES AND STAN PINTARICH TESTIMONY IN OPPOSITION TO PLANNING COMMISSION DECISION. PEGGY HENNESSY AND DAN SEEMAN TESTIMONY IN SUPPORT OF PLANNING COMMISSION DECISION APPROVING CONDITIONAL USE PERMIT. RALPH JONES AND DAVID ROY VIDEO AND TESTIMONY IN OPPOSITION TO PLANNING COMMISSION DECISION. MS. HENNESSY, MR. SEEMAN AND KERRIE STANDLEE REBUTTAL TESTIMONY CONCERNING TRAFFIC AND NOISE CONCERNS. MS. HENNESSY, MR. PEMBLE AND MR. HESS RESPONSE TO BOARD QUESTIONS AND DISCUSSION. COMMISSIONER BAUMAN MOVED AND COMMISSIONER ANDERSON SECONDED, TO REVERSE THE PLANNING COMMISSION DECISION, FINDING THE BARK DUST USE IS NOT CONSISTENT WITH THE FARMING CHARACTER OF THE AREA AND THAT THE USE IS COMMERCIAL, SERVING PRIMARILY URBAN CLIENTS, RATHER THAN FARM USES. BOARD COMMENTS AND DISCUSSION. DECISION REVERSED, WITH COMMISSIONERS ANDERSON, BAUMAN AND McCOY VOTING AYE, AND COMMISSIONERS KELLEY AND HANSEN VOTING NO. MR. HESS TO PREPARE FINDINGS BASED ON BOARD DECISION.

There being no further business, the meeting was adjourned at 12:51 p.m.

OFFICE OF THE BOARD CLERK
for MULTNOMAH COUNTY, OREGON


Deborah L. Bogstad

Tuesday, September 24, 1991 - 1:30 PM
Multnomah County Courthouse, Room 602

AGENDA REVIEW

B-1 Review of Agenda for Regular Meeting of September 26, 1991

C-2 TO BE REMOVED FROM CONSENT CALENDAR ON

**THURSDAY FOR STAFF RESPONSE TO BOARD QUESTIONS
BEFORE FORMAL ACTION.**

**R-3 CHAIR WILL DIRECT STAFF TO PREPARE AND SUBMIT A
PROPOSED ORDINANCE CHARGING UNIFORM RETURNED
CHECK FEES FOR ALL COUNTY DEPARTMENTS.**

**R-10 STAFF ADVISED BOARD OF TYPOGRAPHICAL ERROR ON
PROPOSED BUDGET MODIFICATION NOND #8. BOARD
DISCUSSION.**

**COMMISSIONER HANSEN REQUESTED THAT STAFF
SCHEDULE AN EXECUTIVE SESSION TO UPDATE BOARD
ON PENDING LITIGATION AND DISCUSSED THE NEED
FOR FUTURE BOARD DISCUSSION OR STRATEGY
SESSIONS REGARDING LIBRARY FUNDING,
CONSOLIDATION ISSUES AND BUDGET PREPARATION.**

**CHAIR McCOY ADVISED SHE WOULD BE SCHEDULING
BOARD BRIEFING UPDATES ON THE JUVENILE
DETENTION HOME; THE BOARD'S MOVE TO THE
PORTLAND BUILDING; OTHER SPACE NEEDS;
DEPARTMENT OF HUMAN SERVICES REORGANIZATION
PROPOSALS AND LONG TERM COUNTY PLANNING.
CHAIR McCOY REPORTED ON AN UPCOMING LEADERS
ROUND TABLE SUMMIT AND EXPRESSED THE NEED FOR
INTERNAL DISCUSSIONS ON CONSOLIDATION.**

**STAFF ADVISED THE NEXT JOINT GOVERNMENTS
CONSOLIDATION MEETING IS SCHEDULED FOR 1:30 TO
5:00 PM ON THURSDAY, OCTOBER 3, 1991. AT THE
SUGGESTION OF VICE-CHAIR BAUMAN, A BOARD
BRIEFING TO DISCUSS THE PROCESS FOR THE JOINT
GOVERNMENTS MEETINGS ON CONSOLIDATED SERVICES
WAS SCHEDULED FOR 1:30 PM ON TUESDAY, OCTOBER 1,
1991.**

**COMMISSIONER HANSEN REQUESTED THAT THE BOARD
RECEIVE BRIEFING UPDATES ON PROPOSED ANIMAL
CONTROL, CHIERS AND OUTSIDE IN FUNDING
ALTERNATIVES.**

**Thursday, September 26, 1991 - 9:30 AM
Multnomah County Courthouse, Room 602**

REGULAR MEETING

**Chair Gladys McCoy convened the meeting at 9:32 a.m., with Commissioners Pauline
Anderson and Sharron Kelley present.**

CONSENT CALENDAR

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER ANDERSON, THE CONSENT CALENDAR (ITEMS C-1 AND C-3 THROUGH C-7) WAS UNANIMOUSLY APPROVED.

JUSTICE SERVICES

SHERIFF'S OFFICE

- C-1 Liquor License New Outlet Application Submitted by the Sheriff's Office with Recommendation for Approval as Follows:
Package Store for Chinook Treasures, 2605 NE CORBETT HILL ROAD, CORBETT, OREGON

DEPARTMENT OF HUMAN SERVICES

- C-3 Ratification of Amendment No. 2 to the Intergovernmental Agreement Between Multnomah County and the State of Oregon, Office of Medical Assistance Programs, Extending the Physicians Care Organization Agreement from October 1, 1991 to October 30, 1991

NON-DEPARTMENTAL

- C-4 In the Matter of the Appointments of Olivia Admire, Audrey Bentz, Mary (Mimi) Bushman and John Turner to the MULTNOMAH COUNCIL ON CHEMICAL DEPENDENCY, Terms to Expire September 30, 1993
- C-5 In the Matter of the Appointments of Robin Bloomgarden, Lora Creswick, Paul Eisenberg, Gabriel Enyinwa, Floyd Geller, Jeremy Grand, Robert Jones, Sara Lamb, Richard Levy, Jane Netboy, Ron Pennington, Richard Pomeroy, Mary Schwoeffermann, Robert Tepper, Richard Weaver and Michael Zollitsch to the MULTNOMAH COUNTY CITIZEN BUDGET ADVISORY COMMITTEES, Various Terms
- C-6 In the Matter of the Appointment of Steven Fulmer to the MULTNOMAH COUNTY CITIZEN INVOLVEMENT COMMITTEE, Term to Expire September 30, 1993
- C-7 In the Matter of the Appointments of Jan Burreson, Lee Christiansen, Paul Kreider, Dan Moriarty, Dave Scheele, Jean Stryker, Bret Westwood and Sharon Wylie to the PRIVATE INDUSTRY COUNCIL BOARD, Terms to Expire June 30, 1994

Vice-Chair Rick Bauman arrived at 9:33 a.m.

DEPARTMENT OF HUMAN SERVICES

- C-2 Ratification of Amendment No. 1 to the Intergovernmental Agreement Between Multnomah County and Tri-Met Decreasing the Contract by \$180,000 due to Termination of Certain Transportation Services for Developmental Disabilities Program Clients effective July 1, 1991 through December 31, 1991

GARY SMITH EXPLANATION AND RESPONSE TO BOARD QUESTIONS.

Commissioner Gary Hansen arrived at 9:36 a.m.

BOARD COMMENTS AND DISCUSSION. UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, C-2 WAS UNANIMOUSLY APPROVED.

REGULAR AGENDA

JUSTICE SERVICES

DISTRICT ATTORNEY

- R-1 *Budget Modification DA #1 Authorizing Expenditure of the \$164,185 Finvest Grant Awarded by the Bureau of Justice Assistance from October 1, 1991 through September 29, 1992, to Provide Funding for Certain Regional Organized Crime and Narcotics Task Force Staff*

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

DEPARTMENT OF ENVIRONMENTAL SERVICES

- R-2 *First Reading of an ORDINANCE to Provide Fee Schedule Changes for the Division of Assessment and Taxation*

PROPOSED ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER ANDERSON MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF THE FIRST READING. NO ONE WISHED TO TESTIFY. FIRST READING UNANIMOUSLY APPROVED. SECOND READING SCHEDULED FOR 9:30 AM ON THURSDAY, OCTOBER 3, 1991.

- R-3 *First Reading of an ORDINANCE Amending the Multnomah County Code, Section 5.10.160, by Increasing Certain Fees*

PROPOSED ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER HANSEN MOVED AND COMMISSIONER ANDERSON SECONDED, APPROVAL OF THE FIRST READING. NO ONE WISHED TO TESTIFY. BOARD COMMENTS. CHAIR McCOY ADVISED A PROPOSED ORDINANCE CHARGING UNIFORM RETURNED CHECK FEES FOR ALL COUNTY DEPARTMENTS SHOULD BE AVAILABLE NEXT WEEK. FIRST READING UNANIMOUSLY APPROVED. SECOND READING SCHEDULED FOR 9:30 AM ON THURSDAY, OCTOBER 3, 1991.

DEPARTMENT OF HUMAN SERVICES

- R-4 *Second Reading and Possible Adoption of an ORDINANCE to Provide Fee Schedule Changes for the Environmental Health Section of the Department of Human Services*

PROPOSED ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER KELLEY MOVED AND COMMISSIONER ANDERSON SECONDED, APPROVAL OF THE SECOND READING AND ADOPTION. NO ONE WISHED TO TESTIFY. ORDINANCE 697 UNANIMOUSLY APPROVED.

- R-5 *Request for Approval of a Notice of Intent to Apply for a \$8,512 Grant from the March of Dimes Birth Defects Foundation to Develop and Present an Advanced Skills Development Training for the Proposed "101 Ways to Intervene With Substance Abusing Women" Project*

UPON MOTION OF COMMISSIONER ANDERSON, SECONDED BY COMMISSIONER KELLEY, R-5 WAS UNANIMOUSLY APPROVED.

- R-6 *Ratification of an Intergovernmental Agreement Between Multnomah County and Oregon Health Sciences University to Provide Certain Obstetrical and Gynecological Consultation Services from October 1, 1991 through September 30, 1992*

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, R-6 WAS UNANIMOUSLY APPROVED.

PUBLIC CONTRACT REVIEW BOARD

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

- R-7 *ORDER in the Matter of an Exemption to Exceed the Informal Bid Limitation to Continue Contract Rental of Scaffolding Equipment*

COMMISSIONER BAUMAN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-7. CHAIR McCOY RESPONSE TO QUESTION OF COMMISSIONER HANSEN. ORDER 91-143 UNANIMOUSLY APPROVED.

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

NON-DEPARTMENTAL

- R-8 *RESOLUTION in the Matter of Appointing the Tax Supervising and Conservation Commission to Oversee the Tax Coordination Plan for Multnomah County, Oregon*

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER BAUMAN, RESOLUTION 91-144 WAS UNANIMOUSLY APPROVED.

- R-9 *First Reading of an ORDINANCE Amending MCC 2.30.200 and Ordinance 686 by Assigning Certain Functions to the County Chair's Office*

PROPOSED ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER KELLEY MOVED AND COMMISSIONER ANDERSON SECONDED, APPROVAL OF THE FIRST READING. NO ONE WISHED TO TESTIFY. FIRST READING UNANIMOUSLY APPROVED. SECOND READING SCHEDULED FOR 9:30 AM ON THURSDAY, OCTOBER 3, 1991.

- R-10 *Budget Modifications Implementing the Transfer of Programs from the Former Department of General Services to Non-Departmental and the Department of Environmental Services*

COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF A SUBSTITUTE BUDGET MODIFICATION NOND #8 AND BUDGET MODIFICATION DES #12. DAVE WARREN EXPLANATION AND RESPONSE TO BOARD QUESTIONS. BUDGET MODIFICATIONS NOND #8 AND DES #12 UNANIMOUSLY APPROVED.

CHAIR McCOY INVITED INTERESTED PARTIES TO CONTACT NORM MONROE OF HER STAFF ABOUT ATTENDING A PROCESS DEVELOPMENT AND TIMELINE BRIEFING PRIOR TO A LEADERS ROUND TABLE FAMILY FOCUS SUMMIT. CHAIR McCOY ADVISED THAT MERLIN REYNOLDS OF HER STAFF HAS BEEN DIRECTED TO WORK WITH A CITIZENS COMMITTEE CHARGED TO REVIEW THE HISTORY OF CITY/COUNTY CONSOLIDATION EFFORTS AND MAKE RECOMMENDATIONS.

COMMISSIONER ANDERSON SHARED A CERTIFICATE AND PHOTOGRAPH PRESENTED TO MULTNOMAH COUNTY BY PORTLAND CONCERNING THE OAKS BOTTOM WATER CONTROL DAM AND ADVISED OF THE OTHER AGENCIES INVOLVED IN THE PROJECT.

There being no further business, the meeting was adjourned at 10:00 a.m.

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



Deborah L. Bogstad