

ANNOTATED MINUTES

Tuesday, October 27, 1992 - 9:30 AM
Multnomah County Courthouse, Room 602

PLANNING ITEMS

Chair Gladys McCoy convened the meeting at 9:35 a.m., with Vice-Chair Sharron Kelley, Commissioners Pauline Anderson, Rick Bauman and Gary Hansen present.

- P-1 SEC 6-91a
HDP 4-91a Commissioner Pauline Anderson's Request for Rehearing in the Matter of the October 13, 1992 Board of Commissioners Continued Review, Resulting in a 2-2 Vote, of the June 16, 1992 Hearings Officer Decision Denying a Request to Amend SEC 6-91a and HDP 4-91a, and Permit a Culvert/Fill Driveway Crossing Over a Tributary of Balch Creek, on Property Located at 6125 NW THOMPSON ROAD.

STAFF REPORT, PRESENTATION AND RESPONSE TO BOARD QUESTIONS FROM SCOTT PEMBLE, PETER LIVINGSTON AND MARK HESS. TESTIMONY IN SUPPORT OF A REHEARING FROM MICHAEL ROBINSON, JOHN SHERMAN AND AL BURNS. TESTIMONY IN OPPOSITION TO A REHEARING FROM ARNOLD ROCHLIN. DISCUSSION CONCERNING POSSIBLE DATES, WITH CHAIR MCCOY ADVISING SHE MAY NOT BE AVAILABLE NOVEMBER 10TH. UPON MOTION OF COMMISSIONER ANDERSON, SECONDED BY COMMISSIONER HANSEN, THE BOARD UNANIMOUSLY APPROVED A REHEARING AT 10:45 AM ON TUESDAY, NOVEMBER 10, 1992, ON THE RECORD, WITH TESTIMONY LIMITED TO 15 MINUTES PER SIDE.

- P-2 CU 19-92 Board Review and Affirmation of the October 5, 1992 Hearings Officer Decision to Approve, Subject to Conditions, Development of a 6.5 Acre Lot of Record with a Non-Resource Related Single Family Dwelling in the Multiple Use Forest District, for Property Located at 17300 NW SKYLINE BOULEVARD.

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER ANDERSON, THE HEARINGS OFFICER DECISION (P-2) WAS UNANIMOUSLY AFFIRMED.

- P-3 CU 11-92 Hearing After Adjournment and Request to Permit Additional Evidence on Conditions 5 and 6, in the Matter of the July 6, 1992 Hearings Officer Decision to Approve, Subject to Conditions, a Non-Resource Related Residence on a 7.8 Acre Lot of Record in the Multiple Use Forest District, for Property Located at 43640 EAST LARCH MOUNTAIN ROAD.

STAFF PRESENTATION AND RESPONSE TO BOARD QUESTIONS FROM PETER LIVINGSTON AND SCOTT PEMBLE. COMMISSIONER BAUMAN MOVED, SECONDED BY COMMISSIONER KELLEY, TO REHEAR CU 11-92. FOLLOWING DISCUSSION WITH COUNTY COUNSEL, APPLICANTS' ATTORNEY MICHAEL ROBINSON AND

NEIGHBORING PROPERTY OWNER DONALD HORN ADVISED THEY HAD NO OBJECTIONS TO A REHEARING. FOLLOWING DISCUSSION REGARDING REHEARING DATES, COMMISSIONER BAUMAN MOVED, SECONDED BY COMMISSIONER ANDERSON, TO AMEND HIS MOTION TO CALL FOR A REHEARING TO BE HELD ON NOVEMBER 10, ON THE RECORD, PLUS ADDITIONAL EVIDENCE, WITH TESTIMONY LIMITED TO 15 MINUTES PER SIDE. THE PARTIES DISCUSSED AND CONSENTED TO PARTICIPATE IN A REHEARING TODAY. CHAIR McCOY ADVISED SHE WOULD NOT BE VOTING AS SHE WAS NOT PRESENT AT THE PRIOR HEARINGS. THE MOTION AS AMENDED WAS DENIED, WITH COMMISSIONER KELLEY VOTING AYE, COMMISSIONERS ANDERSON, BAUMAN AND HANSEN VOTING NO AND COMMISSIONER McCOY ABSTAINING. UPON MOTION OF COMMISSIONER BAUMAN, SECONDED BY COMMISSIONER ANDERSON, A REHEARING TODAY, ON THE RECORD WITH ADDITIONAL EVIDENCE AND TESTIMONY LIMITED TO 10 MINUTES PER SIDE, WAS APPROVED, WITH COMMISSIONERS ANDERSON, BAUMAN, KELLEY AND HANSEN VOTING AYE AND COMMISSIONER McCOY ABSTAINING.

PRIOR TO COMMENCEMENT OF THE HEARING, COMMISSIONER BAUMAN DISCLOSED HIS EX PARTE CONTACT AND INVESTIGATION. BOB HALL REVIEWED THE CASE HISTORY. THE BOARD HEARD TESTIMONY FROM MICHAEL ROBINSON AND DONALD HORN. FOLLOWING BOARD DELIBERATION AND COMMENTS, COMMISSIONER BAUMAN MOVED, SECONDED BY COMMISSIONER KELLEY, TO AMEND THE HEARINGS OFFICER DECISION BY DELETING CONDITION 5 AND AMENDING CONDITION 6, REQUIRING A 100 FOOT SETBACK ON APPLICANTS' WESTERLY PROPERTY LINE AND A 70 FOOT SETBACK ON THE EASTERLY PROPERTY LINE. THE MOTION WAS APPROVED, WITH COMMISSIONERS BAUMAN, KELLEY AND HANSEN VOTING AYE, COMMISSIONER ANDERSON VOTING NO AND COMMISSIONER McCOY ABSTAINING. THE BOARD SUGGESTED THAT COUNTY COUNSEL AND PLANNING STAFF DEVELOP CODE AMENDMENTS TO CLARIFY TIE VOTES AND RELATED ISSUES.

There being no further business, this portion of the meeting was adjourned at 11:00 a.m.

OFFICE OF THE BOARD CLERK
for MULTNOMAH COUNTY, OREGON

By Deborah Coasta

Tuesday, October 27, 1992 - 11:00 AM
Multnomah County Courthouse, Room 602

BOARD BRIEFING

- B-1 Metro Staff Review and Request for Board Comment in the Matter of Three Growth Alternatives for the Portland Metropolitan Area, Developed as Part of the Region 2040 Project. Presented by R. Scott Pemble and Stuart Todd.

DISCUSSION AND RESPONSE TO BOARD COMMENTS WITH COUNTY PLANNING DIRECTOR SCOTT PEMBLE AND METRO PLANNING DIRECTOR ANDY COTUGNO. BOARD BRIEFING WITHIN A MONTH TO DISCUSS ISSUES PRIOR TO SUBMITTING COUNTY RECOMMENDATIONS TO METRO POLICY ADVISORY BOARDS.

Tuesday, October 27, 1992 - 11:29 AM
Multnomah County Courthouse, Room 602

AGENDA REVIEW

- B-2 Review of Agenda for Regular Meeting of October 29, 1992.

Thursday, October 29, 1992 - 9:30 AM
Multnomah County Courthouse, Room 602

REGULAR MEETING

Chair Gladys McCoy convened the meeting at 9:30 a.m., with Vice-Chair Sharron Kelley, Commissioners Pauline Anderson and Gary Hansen present.

CONSENT CALENDAR

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, THE CONSENT CALENDAR (ITEMS C-1 THROUGH C-6) WAS UNANIMOUSLY APPROVED.

JUSTICE SERVICES

SHERIFF'S OFFICE

- C-1 Ratification of Intergovernmental Agreement Contract #800473, Between Multnomah County and the Regional Organized Crime and Narcotics (ROCN) Task Force, Providing Word Processing Support for the Period July 1, 1992 through June 30, 1993

NON-DEPARTMENTAL

- C-2 In the Matter of the Appointment of Matthew Owen Ryan to the MULTNOMAH COUNTY DEFERRED COMPENSATION COMMITTEE
- C-3 In the Matter of the Appointment of Jorge E. Espinosa to the MULTNOMAH COUNTY CHILDREN AND YOUTH SERVICES COMMISSION

LIBRARY SERVICES

- C-4 Ratification of Intergovernmental Agreement Contract #600023, Between the Metropolitan Service District and Multnomah County, Providing a \$3,795 Grant for the Purchase

of Books and Materials for a Local Information Center/Collection at the St. Johns Branch of the Multnomah County Library, for the Period July 1, 1992 through June 30, 1993

DEPARTMENT OF HEALTH

- C-5 Ratification of Grant Revision #2 to Intergovernmental Agreement Contract #200883, Between Multnomah County and the Oregon Health Division, Reflecting a \$107,156 Decrease in Program Funding, for the Period July 1, 1992 through June 30, 1993
- C-6 Ratification of Intergovernmental Agreement Contract #201153, Between Multnomah County and the Oregon Health Sciences University, Providing Obstetrical and Gynecological Consultation for County Patients, for the Period November 1, 1992 through October 31, 1993

REGULAR AGENDA

NON-DEPARTMENTAL
MANAGEMENT SUPPORT

- R-1 Ratification of an Agreement Between Multnomah County and the International Brotherhood of Electrical Workers (IBEW) Local 48, AFL-CIO, for the Period July 1, 1992 through June 30, 1995

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

Commissioner Rick Bauman arrived at 9:31 a.m.

- R-2 First Reading of an ORDINANCE Amending Ordinance No. 733, in Order to Revise, Add and Delete Exempt Salary Ranges

PROPOSED ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. HEARING HELD, NO TESTIMONY OFFERED. UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, FIRST READING UNANIMOUSLY APPROVED. SECOND READING SCHEDULED FOR THURSDAY, NOVEMBER 5, 1992.

- R-3 RESOLUTION in the Matter of Reaffirming Multnomah County's Commitment to Preventing and Remedying Discrimination; Supporting the Civil Rights of All Citizens; and Opposing Ballot Measure 9

ROBERTO REYES COLON, FIELD COORDINATOR FOR THE NO ON 9 CAMPAIGN, READ RESOLUTION. KATHLEEN SAADAT, GINNIE COOPER AND PATRICK BRUN TESTIFIED IN SUPPORT. UPON MOTION OF COMMISSIONER HANSEN, SECONDED BY COMMISSIONER ANDERSON, RESOLUTION 92-187 WAS UNANIMOUSLY APPROVED.

R-4 RESOLUTION in the Matter of Referring Ordinance No. 731 to the Voters [Multnomah County Public Library Utility Excise Tax Ordinance]

UPON MOTION OF COMMISSIONER BAUMAN, SECONDED BY COMMISSIONER ANDERSON, RESOLUTION 92-188 WAS UNANIMOUSLY APPROVED.

R-5 Second Reading and Possible Adoption of an ORDINANCE Regulating Sales of Tax Foreclosed Properties

PROPOSED ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. HEARING HELD, NO TESTIMONY OFFERED. UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, ORDINANCE NO. 735 WAS UNANIMOUSLY APPROVED.

R-6 First Reading of an ORDINANCE Amending Ordinance No. 693 Relating to the Creation of the Multnomah County Peace Task Force and the Thousand Cranes Peace Award

PROPOSED ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. HEARING HELD, NO TESTIMONY OFFERED. UPON MOTION OF COMMISSIONER BAUMAN, SECONDED BY COMMISSIONER HANSEN, FIRST READING UNANIMOUSLY APPROVED. SECOND READING SCHEDULED FOR THURSDAY, NOVEMBER 5, 1992.

DEPARTMENT OF ENVIRONMENTAL SERVICES

R-7 PUBLIC HEARING and Board Consideration of an ORDER in the Matter of Offering to Surrender Jurisdiction to the City of Maywood Park All County Roads Within the City of Maywood Park

R-8 Ratification of Intergovernmental Agreement Contract #300583, Between Multnomah County and the City of Maywood, Authorizing County Provision of Maintenance and Engineering Functions and Bike Path Street Lights on Certain Roads Within the City of Maywood

NO TESTIMONY OFFERED. UPON MOTION OF COMMISSIONER ANDERSON, SECONDED BY COMMISSIONER HANSEN, ORDER 92-189 (R-7) AND R-8 WERE UNANIMOUSLY APPROVED.

R-9 Budget Modification DES #9 Requesting Authorization to Transfer \$16,000 from Justice Center Utilities to Justice Center Repair and Maintenance for Justice Center Water Valve Installation

UPON MOTION OF COMMISSIONER ANDERSON, SECONDED BY COMMISSIONER KELLEY, R-9 WAS UNANIMOUSLY APPROVED.

DEPARTMENT OF HEALTH

R-10 Budget Modification MCHD #8 Requesting Authorization to Increase Appropriations Within the Primary Care Division

Budget to Reflect Receipt of a \$300,000 Grant from the Public Health Service for Health Care for Children at Risk of Homelessness

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER BAUMAN, R-10 WAS UNANIMOUSLY APPROVED.

DEPARTMENT OF SOCIAL SERVICES

R-11 Budget Modification DSS #26 Requesting Authorization to Add \$320,734 Title XIX Revenue to the Juvenile Justice Division and \$90,721 Title XIX Revenue to the Mental Health Youth and Family Services Division Budgets

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER ANDERSON, R-11 WAS UNANIMOUSLY APPROVED.

PUBLIC COMMENT

R-12 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 9:50 a.m.

OFFICE OF THE BOARD CLERK
for MULTNOMAH COUNTY, OREGON

By DEBORAH C. GUSTAD