

ANNOTATED MINUTES

*Tuesday, October 10, 1995 - 9:30 AM
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland*

BOARD BRIEFING

- B-1 Board Briefing on the Following: Report of Discussions with Commissioners; Current Projects and Thoughts on Liaison Roles; Accountability Plan; Annual Calendar; and Benchmark Forums. Presented by Bill Farver, Maria Rojo de Steffey, Meganne Steele, Dave Warren and Barry Crook.*

BILL FARVER, MARIA ROJO DE STEFFEY, DAVE WARREN AND MEGANNE STEELE PRESENTATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION. BOARD CONSENSUS THAT BOARD MEMBERS CONTINUE PRESENT LIAISON ROLES; EVALUATE MEETINGS AT NEXT LIAISON MEETING; SCHEDULE QUARTERLY UPDATE BRIEFINGS ON BOARD PROJECTS BEGINNING IN NOVEMBER; AND THAT LIAISON COMMISSIONERS INTRODUCE ROUTINE ITEMS ON THURSDAY AGENDAS. SPRING BENCHMARK FORUM TOPICS BE DECIDED IN NOVEMBER OR DECEMBER.

*Tuesday, October 10, 1995 - 1:30 PM
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland*

PLANNING ITEMS

Chair Beverly Stein convened the meeting at 1:30 p.m., with Vice-Chair Sharron Kelley, Commissioners Gary Hansen and Dan Saltzman present, and Commissioner Tanya Collier excused.

- P-1 CU 4-95/MC 1-95 Report 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

PLANNER BOB HALL ADVISED AN APPEAL WAS FILED. ATTORNEY FOR APPELLANT ED SULLIVAN PRESENTED ARGUMENTS IN SUPPORT OF REQUEST THAT BOARD HEAR CASE ON THE RECORD. ATTORNEY FOR OPPONENT LARRY DERR AND FORMER ATTORNEY FRANK JOSSELSOON PRESENTED ARGUMENTS IN SUPPORT OF DE NOVO HEARING. COUNTY COUNSEL JOHN DuBAY RESPONSE TO BOARD QUESTIONS. UPON MOTION OF COMMISSIONER SALTZMAN, SECONDED BY COMMISSIONER HANSEN, IT WAS UNANIMOUSLY APPROVED THAT A DE NOVO HEARING BE SCHEDULED FOR 1:30 PM, TUESDAY, NOVEMBER 28, 1995, AND THAT TESTIMONY BE LIMITED TO 20 MINUTES PER SIDE.

P-2 C 6-95 *PUBLIC HEARING and Consideration of a RESOLUTION Adopting the Sauvie Island Multnomah Channel Rural Area Plan Scoping Report*

COMMISSIONER SALTZMAN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF RESOLUTION. PLANNER GORDON HOWARD PRESENTATION AND SUBMITTAL OF LETTER FROM METRO RECOMMENDING SPECIFIC AMENDMENTS. GINGER CURTIS TESTIMONY REQUESTING INFORMATION CONCERNING GRANDFATHER RIGHTS OF EXISTING MOORAGE FACILITIES. BILL CASTLEMAN AND DONNA MATRAZZO TESTIMONY IN SUPPORT OF PLAN. MR. HOWARD EXPLANATION IN RESPONSE TO QUESTION OF MS. CURTIS; AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION. UPON MOTION OF COMMISSIONER SALTZMAN, SECONDED BY COMMISSIONER KELLEY, IT WAS UNANIMOUSLY APPROVED THAT THE REPORT BE AMENDED PURSUANT TO THE RECOMMENDATIONS OF METRO; THAT PAGES 3 AND 23 BE CORRECTED TO REFLECT THAT THE COMPREHENSIVE STUDY OF MULTNOMAH

CHANNEL WILL BE PERFORMED BY THE DIVISION OF STATE LANDS; AND THAT PAGE 1 BE CLARIFIED TO REFLECT THE DEPARTMENT'S INTENT TO COMPLETE THE PLAN WITHIN ONE YEAR. RESOLUTION 95-220 UNANIMOUSLY APPROVED, AS AMENDED. ARLEEN ADAM OF HAPPY ROCK MOORAGE EXPRESSED CONCERN REGARDING EQUITABLE CODE ENFORCEMENT. CHAIR STEIN AND COMMISSIONER SALTZMAN COMMENTS IN RESPONSE.

P-3

CU 5-95/HV 11-95 DE NOVO HEARING on Appeal of Hearings Officer Decision APPROVING a Request for Conditional Use Permit and Variance to Develop a New Single Family Dwelling in the CFU (Commercial Forest Use) Zoning District on Property Located at 23755 NW SKYLINE BLVD. Testimony Limited to 20 Minutes Per Side.

CHAIR STEIN EXPLAINED THE PROCESS FOR HEARING. NO DISCLOSURES, OR CHALLENGES WERE OFFERED. PLANNER BARRY MANNING PRESENTED STAFF REPORT. HEARINGS OFFICER JOAN CHAMBERS DISCUSSED CRITERIA USED IN DETERMINING DECISION. ATTORNEY FOR APPELLANT PAUL NORR VOICED HIS OBJECTIONS TO DE NOVO HEARING, 20 MINUTE TIME LIMIT AND PRESENTATION OF HEARINGS OFFICER DECISION. MR. NORR PRESENTED WRITTEN AND ORAL TESTIMONY IN OPPOSITION TO HEARINGS OFFICER DECISION AND IN SUPPORT OF A REVERSAL OF THE DECISION. APPELLANT CAROLE WINNER PRESENTED WRITTEN AND ORAL TESTIMONY IN SUPPORT OF DENIAL OF PERMIT. JUDY SCHAIBLE PRESENTED WRITTEN AND ORAL TESTIMONY IN SUPPORT OF DENIAL OF PERMIT. TOMASZ FIJAK TESTIMONY IN OPPOSITION TO HEARINGS OFFICER DECISION. APPLICANTS' ATTORNEY TIMOTHY RAMIS PRESENTED WRITTEN AND ORAL TESTIMONY IN SUPPORT OF AFFIRMING THE HEARINGS OFFICER DECISION; SUBMITTED A LETTER FROM TURNER DRILLING COMPANY CONCERNING WATER SUPPLY ISSUE, AND PRESENTED REBUTTAL TO APPELLANT'S TESTIMONY. RACHEL BURGER AND JOHN

BURGER TESTIFIED IN SUPPORT OF HEARINGS OFFICER DECISION AND IN RESPONSE TO CONCERNS OF MS. WINNER. MR. RAMIS PRESENTED CLOSING STATEMENT IN SUPPORT OF HEARINGS OFFICER DECISION. MS. WINNER AND MR. NORR PRESENTED REBUTTAL IN OPPOSITION. MR. NORR REQUESTED A CONTINUANCE IN ORDER TO RESPOND TO EVIDENCE SUBMITTED TODAY. HEARING CLOSED. MR. DuBAY RESPONSE TO BOARD QUESTIONS. FOLLOWING DISCUSSION, CHAIR STEIN ADVISED THE ATTORNEYS HAVE UNTIL TUESDAY, OCTOBER 24, 1995 TO PROVIDE WRITTEN RESPONSE TO EVIDENCE SUBMITTED TODAY. MR. RAMIS AND MR. NORR PRESENTED OPPOSING COMMENTS REGARDING PRESENTATION OF THE HEARINGS OFFICER DECISION. MR. DuBAY RESPONSE TO BOARD QUESTIONS. FOLLOWING DISCUSSION, CHAIR STEIN ADVISED THE BOARD'S DECISION IN THIS MATTER WOULD BE CONTINUED TO 9:30 AM, THURSDAY, OCTOBER 26, 1995.

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

*Thursday, October 12, 1995 - 9:30 AM
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland*

REGULAR MEETING

Chair Beverly Stein convened the meeting at 9:30 a.m., with Vice-Chair Sharron Kelley, Commissioners Gary Hansen and Dan Saltzman present, and Commissioner Tanya Collier excused.

CHAIR STEIN REMARKED ON THE DEATH OF DES EMPLOYEE RICHARD PAYNE, CAREER HIGHLIGHTS AND ACKNOWLEDGED HIS CONTRIBUTIONS TO THE COUNTY. COMMISSIONERS SALTZMAN, HANSEN AND KELLEY COMMENTS IN SUPPORT.

CONSENT CALENDAR

**AT THE REQUEST OF CHAIR STEIN AND UPON
MOTION OF COMMISSIONER KELLEY, SECONDED
BY COMMISSIONER HANSEN, CONSENT
CALENDAR ITEMS C-1 AND C-3 THROUGH C-6
WERE UNANIMOUSLY APPROVED.**

NON-DEPARTMENTAL

- C-1 *Re-Appointment of Patricia Scruggs to the MULTNOMAH
WASHINGTON REGIONAL STRATEGIES BOARD*

DEPARTMENT OF COMMUNITY AND FAMILY SERVICES

- C-3 *Intergovernmental Agreement 102276 with the Housing Authority of
Portland to Fund Development Cost for Mi Casa, a Program of Group
Living Units and Services for Low Income Adults with Serious Mental
Illness and Substance Abuse Problems*
- C-4 *Intergovernmental Revenue Agreement 103546 with the City of Portland
to Support the Streetlight Youth Shelter Operated by Janus Youth
Programs and the Drop-In Center Operated by Outside In*
- C-5 *Intergovernmental Revenue Agreement 103586 with Oregon Department
of Energy to Fund Weatherization Services for Low Income Households*

DEPARTMENT OF HEALTH

- C-6 *Intergovernmental Revenue Agreement 201116 with the University of
Minnesota for Participation in the Study of the Incidence of Tuberculosis
Among Injection Drug Users*

REGULAR AGENDA

PUBLIC COMMENT

- R-1 *Opportunity for Public Comment on Non-Agenda Matters. Testimony
Limited to Three Minutes Per Person.*

**RICHARD KOENIG COMMENTS REGARDING
PRESENTING A RESOLUTION BEFORE THE
BOARD AND RECENT COURT CASE.**

NON-DEPARTMENTAL

- C-2 *ORDER Affirming Hearings Officer Decision Revoking Adult Care Home License of Anna Duong-Thi Phuong-Hang*

ANNA DUONG-THI PHUONG-HANG AND DICK SMITH TESTIMONY IN SUPPORT OF REVERSAL OF ADULT CARE HOME LICENSE REVOCATION. COMMISSIONER HANSEN MOVED AND COMMISSIONER SALTZMAN SECONDED, APPROVAL OF C-2. PETE KASTING RESPONSE TO BOARD QUESTION. ORDER 95-221 UNANIMOUSLY APPROVED.

- R-2 *Second Reading and Adoption of an ORDINANCE Amending MCC 2.30.640(C), Relating to Membership and Operation of the Citizen Involvement Committee, Repealing Existing Provisions and Creating New Provisions*

ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF SECOND READING AND ADOPTION. ORDINANCE 835 UNANIMOUSLY APPROVED.

- R-3 *First Reading of an ORDINANCE Amending MCC Chapter 3.10.010(P), 3.10.015(B)(3), and 3.10.270(A) Relating to the Merit System for County Employees and Repealing and Replacing Sections of Ordinance No. 448 and Ordinance No. 461*

ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF FIRST READING. MARIA ROJO de STEFFEY EXPLANATION. JANE PAULSON, HELEN CHEEK AND JERRY WALKER TESTIMONY IN SUPPORT OF ITEMS R-3 AND R-4. CHAIR STEIN COMMENTS IN SUPPORT. FIRST READING UNANIMOUSLY APPROVED. SECOND READING THURSDAY, OCTOBER 26, 1995.

- R-4 *RESOLUTION Repealing Resolution 94-100 and Affirming Multnomah County's Commitment to Providing Equal Rights for All Employees*

COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF R-4. MS. ROJO de STEFFEY EXPLANATION. COMMISSIONER HANSEN COMMENTS IN SUPPORT. RESOLUTION 95-222 UNANIMOUSLY APPROVED.

R-5 *RESOLUTION Supporting Changing the Name of the Fremont Bridge to the Senator Wayne Morse Bridge*

COMMISSIONER SALTZMAN MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF R-5. COMMISSIONER SALTZMAN EXPLANATION AND COMMENTS IN SUPPORT. JIM DAVIS, MONROE SWEETLAND, RICHARD TENCH AND GREG KAFOURY TESTIMONY IN SUPPORT. BOARD COMMENTS. COMMISSIONER KELLEY ADVISED THAT DUE TO QUESTIONS REGARDING THE PROCESS, SHE PREFERS TO ABSTAIN FROM VOTING ON THIS MATTER. RESOLUTION 95-223 APPROVED, WITH COMMISSIONERS HANSEN, SALTZMAN AND STEIN VOTING AYE, AND COMMISSIONER KELLEY ABSTAINING. RESOLUTION READ.

R-6 *Budget Modification NOND 4 Budgeting \$270,000 in Strategic Investment Program Related Revenue and Appropriating Revenue for the First Source Agreement with Jobnet and Community Resources*

COMMISSIONER HANSEN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-6. BARRY CROOK EXPLANATION. MR. CROOK AND CHAIR STEIN RESPONSE TO BOARD QUESTIONS. BUDGET MODIFICATION UNANIMOUSLY APPROVED.

R-7 *Budget Modification NOND 5 Transferring \$3,900 from the Citizen Involvement Committee Budget to General Fund Contingency, Pending a Report to the Board on Editorial Policy for the Conduit*

COMMISSIONER SALTZMAN MOVED AND COMMISSIONER HANSEN SECONDED, TO HEAR TESTIMONY TODAY AND POSTPONE VOTE UNTIL OCTOBER 26. BOARD COMMENTS. MOTION

FAILED, WITH COMMISSIONER SALTZMAN VOTING AYE AND COMMISSIONERS KELLEY, HANSEN AND STEIN VOTING NO. COMMISSIONER SALTZMAN MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF R-7. COMMISSIONER SALTZMAN EXPLANATION IN SUPPORT. DERRY JACKSON TESTIMONY IN OPPOSITION. HANK MIGGINS TESTIMONY IN OPPOSITION AND RESPONSE TO BOARD QUESTIONS. LIANNE THOMPSON, KAY DURTSCHI AND ROBERT L. JONES TESTIMONY IN OPPOSITION. BOARD DISCUSSION AND COMMENTS. MR. JACKSON AND JOHN LEGRY RESPONSE TO BOARD QUESTIONS. CHAIR STEIN REQUESTED THAT CIC PREPARE AND SUBMIT TO BOARD PROCESS TO BE USED AND TIMELINE FOR PREPARATION OF AN EDITORIAL POLICY TO BE REVIEWED BY COUNTY COUNSEL. CHAIR STEIN DIRECTED THAT COUNTY COUNSEL PROVIDE AN OPINION REGARDING RELATIONSHIP BETWEEN CIC AND COUNTY BOARD PURSUANT TO CHARTER PROVISIONS. BUDGET MODIFICATION FAILED, WITH COMMISSIONER SALTZMAN VOTING AYE AND COMMISSIONERS KELLEY, HANSEN AND STEIN VOTING NO.

DISTRICT ATTORNEY'S OFFICE

- R-8 *Budget Modification DA 1 Reallocating Personal Services Category to Create an Additional Trial Deputy District Attorney Position in the Property Crimes Unit*

COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF R-8. KELLY BACON EXPLANATION AND RESPONSE TO BOARD QUESTIONS. BUDGET MODIFICATION UNANIMOUSLY APPROVED.

- R-9 *Budget Modification DA 2 Appropriating the Newly Created Gang OCN Violence Enforcement Program (Contingent Upon Receipt of Grant Award) to Fund 3 Positions in the District Attorney's Office, Equipment and Police Overtime*

**COMMISSIONER KELLEY MOVED AND
COMMISSIONER HANSEN SECONDED, APPROVAL
OF R-9. MR. BACON EXPLANATION. BUDGET
MODIFICATION UNANIMOUSLY APPROVED.**

- R-10 *Intergovernmental Agreement 500336 with the Portland Police Bureau
Providing Overtime Reimbursement for Investigation of Approved Gang
OCN Violence Grant Targeted Cases*

**COMMISSIONER SALTZMAN MOVED AND
COMMISSIONER KELLEY SECONDED, APPROVAL
OF R-10. MR. BACON EXPLANATION.
AGREEMENT UNANIMOUSLY APPROVED.**

DEPARTMENT OF HEALTH

- R-11 *Budget Modification MCHD 1 Increasing HIV Programs to Reflect
Receipt of a Grant from the Center for Substance Abuse Treatment to
Continue Outreach to Homeless HIV Clients*

**COMMISSIONER KELLEY MOVED AND
COMMISSIONER SALTZMAN SECONDED,
APPROVAL OF R-11. COMMISSIONER HANSEN
EXPLANATION. BUDGET MODIFICATION
UNANIMOUSLY APPROVED.**

- R-12 *Intergovernmental Agreement 201166 with the City of Gresham for
Enforcement of Ordinance 816 Regarding Ambulance/Emergency
Medical Services within the City*

Commissioner Hansen left at 10:58 a.m.

**COMMISSIONER KELLY MOVED AND
COMMISSIONER SALTZMAN SECONDED,
APPROVAL OF R-12. BILL COLLINS
EXPLANATION OF ITEMS R-12 AND R-13.
AGREEMENT APPROVED.**

- R-13 *Intergovernmental Agreement 201196 with the City of Portland for
Enforcement of Ordinance 816 Regarding Ambulance/Emergency
Medical Service within the City*

**UPON MOTION OF COMMISSIONER KELLEY,
SECONDED BY COMMISSIONER SALTZMAN, R-13
WAS APPROVED.**

- R-14 *First Reading of an ORDINANCE Amending MCC 6.33, Adding
Members to the Contract Compliance and Rate Regulation Committee*

**ORDINANCE READ BY TITLE ONLY. COPIES
AVAILABLE. COMMISSIONER KELLEY MOVED
AND COMMISSIONER SALTZMAN SECONDED,
APPROVAL OF FIRST READING. MR. COLLINS
EXPLANATION. FIRST READING APPROVED.
SECOND READING THURSDAY, OCTOBER 26, 1995.**

Commissioner Hansen returned at 11:00 a.m.

PUBLIC CONTRACT REVIEW BOARD

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

- R-15 *ORDER Exempting from the Public Bid Process the Purchase of
Mapbase Software, Hardware and Ongoing Maintenance Service from
Imagis Solutions*

**AT THE REQUEST OF CHAIR STEIN AND UPON
MOTION OF COMMISSIONER KELLEY, SECONDED
BY COMMISSIONER SALTZMAN, R-15 WAS
UNANIMOUSLY POSTPONED INDEFINITELY.**

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

DEPARTMENT OF ENVIRONMENTAL SERVICES

- R-16 *ORDER Authorizing Distribution of Proceeds from Tax Foreclosed
Property Sales from July 1, 1994 through June 30, 1995*

**COMMISSIONER KELLEY MOVED AND
COMMISSIONER SALTZMAN SECONDED,
APPROVAL OF R-16. JANICE DRUIAN
EXPLANATION AND RESPONSE TO BOARD
QUESTIONS. ORDER 95-224 UNANIMOUSLY
APPROVED.**

R-17 *Notice of Intent for METRO Parks and Greenspaces to Apply for a State of Oregon Opportunity Grant for Funds to Develop a Master Plan for Oxbow Regional Park*

**COMMISSIONER KELLEY MOVED AND
COMMISSIONER SALTZMAN SECONDED,
APPROVAL OF R-17. PATRICK LEE EXPLANATION.
NOTICE OF INTENT UNANIMOUSLY APPROVED.**

The regular meeting was adjourned at 11:05 a.m., and the work session convened at 11:10 a.m.

*Thursday, October 12, 1995 - 10:30 AM
(OR IMMEDIATELY FOLLOWING REGULAR MEETING)
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland*

BENCHMARK FORUM WORK SESSION

WS-1 *Elder Abuse: Existing Situation and County's Strategy and Priorities.
Presented by Betty Glantz and Others.*

**CHAIR STEIN ACKNOWLEDGED AUDIENCE.
BETTY GLANTZ INTRODUCED RODNEY HOPKINS,
VIRGINIA SHEA, MARY GINGELL AND RENÉE
BOVE-JOHNSON. MS. GLANTZ, MS. SHEA AND MS.
GINGELL SLIDE AND VIDEO PRESENTATION AND
RESPONSE TO BOARD QUESTIONS AND
DISCUSSION. SESSION TO BE CONTINUED TO A
LATER DATE.**

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

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


Deborah L. Bogstad