

ANNOTATED MINUTES

Tuesday, October 23, 1990 - 9:30 AM
Multnomah County Courthouse, Room 602

PLANNING ITEM

Commissioner Anderson convened the meeting at 9:35 a.m., with Commissioners Rick Bauman and Sharron Kelley present and Chair Gladys McCoy and Vice-Chair Gretchen Kafoury absent.

1. **CU 19-90 Public Hearing - DeNovo**

Review the Decision of the Planning Commission of August 13, 1990, **denying the entire application** for a conditional use request to allow the transfer of nursery related products for property located at **9825 NW Kaiser Road**

MARK HESS, PLANNING STAFF, EXPLAINED THIS WAS AN APPEAL OF THE PLANNING COMMISSION DECISION OF AUGUST 13, 1990, DENYING THE ENTIRE APPLICATION FOR CONDITIONAL USE. MR. HESS STATED THE REASONS FOR DENIAL ARE DETAILED IN THE WRITTEN DECISION ALSO DATED AUGUST 13, 1990. MR. HESS STATED THE COMMISSION FOUND THAT THE BUSINESS DID NOT SATISFY THE CONDITIONAL USE CRITERIA IN TERMS OF THE BUSINESS NOT BEING CONSISTENT WITH THE CHARTER OF THE AREA, THEY DID NOT SATISFY ALL APPLICABLE POLICIES OF THE COMPREHENSIVE PLAN IN TERMS OF ADVERSE NOISE AND AIR QUALITY EFFECTS TO SURROUNDING PROPERTIES AND TRAFFIC HAZARDS DUE TO LARGE TRUCKS THAT COME AND GO TO THE PROPERTY. AT THIS TIME MR. HESS SHOWED SLIDES OF THIS PROPERTY AND OF THE SURROUNDING AREA.

IN RESPONSE TO A QUESTION OF COMMISSIONER KELLEY, MR. HESS EXPLAINED THAT IF IT WAS DETERMINED THAT A MANUFACTURING USE WAS SECONDARY

PROCESSING OF WOOD PRODUCTS AND IS NOT AN ALLOWED USE IN THE EXCLUSIVE FARM USE (EFU) ZONE AND THAT THERE IS NO MECHANISM FOR APPROVAL, HOWEVER IF IT IS A COMMERCIAL OPERATION THEN THERE IS A MECHANISM FOR APPROVAL IF IT MEETS THE APPROVAL CRITERIA.

IN RESPONSE TO COMMISSIONER ANDERSON, MR. HESS EXPLAINED THE DIFFERENCE BETWEEN PRIMARY AND SECONDARY PROCESSING.

DEPUTY COUNTY COUNSEL JOHN DUBAY ADVISED THAT A PRELIMINARY STATEMENT IS REQUIRED BY STATE STATUTE PRIOR TO TAKING TESTIMONY IN THESE PROCEEDINGS LISTING THE APPLICABLE CRITERIA. MR. DUBAY OUTLINED ALL OF THE APPLICABLE CRITERIA IN THIS FOR CONDITIONAL USE AS FOLLOWS: 1) MUST BE CONSISTENT WITH THE CHARACTER OF THE AREA; 2) MUST NOT ADVERSELY EFFECT NATURAL RESOURCES; 3) MUST NOT CONFLICT WITH FARM OR FOREST USES IN THE AREA; 4) MUST NOT REQUIRE PUBLIC SERVICES OTHER THAN THOSE EXISTING OR PROGRAMMED FOR THE AREA; 5) MUST BE LOCATED OUTSIDE OF BIG GAME WINTER HABITAT OR CERTIFIED BY THE OREGON DEPARTMENT OF FISH AND WILDLIFE THAT THE IMPACTS ARE ACCEPTABLE; 6) WILL NOT CREATE HAZARDOUS CONDITIONS; AND 7) WILL SATISFY APPLICABLE COMPREHENSIVE PLAN POLICIES. MR. DUBAY REPORTED THAT STAFF FEELS APPLICABLE POLICIES ARE: POLICY 2: OFF SITE EFFECTS; POLICY 9: AGRICULTURAL LAND; POLICY 13: AIR, WATER, AND NOISE QUALITY; POLICY 14: DEVELOPMENT LIMITATIONS; POLICY 15: AREAS OF SIGNIFICANT ENVIRONMENTAL CONCERN; POLICY 16: NATURAL RESOURCES; POLICY 37: UTILITIES; AND POLICY 38: FACILITIES. MR. DUBAY ADVISED THAT ALL

THE TESTIMONY AND EVIDENCE TO BE SUBMITTED AT THIS HEARING MUST BE DIRECTED TOWARD THE CRITERIA JUST OUTLINED OR THE OTHER CRITERIA IN THE MULTNOMAH COUNTY CODE OR THE COMPREHENSIVE PLAN THAT ANY WITNESS BELIEVES SHOULD BE APPLIED. MR. DUBAY EXPLAINED THAT IF ANY ISSUE IS NOT PRESENTED BY ANY OF THE WITNESSES WITH SUFFICIENT DETAIL TO ALLOW THE BOARD OF COUNTY COMMISSIONERS OR THE OPPOSING PARTIES TO RESPOND THEN THAT ISSUE MAY NOT BE RAISED IN AN APPEAL TO THE LAND USE BOARD OF APPEALS.

TESTIMONY HEARD. BOARD AFFIRMED DECISION OF THE PLANNING COMMISSION OF AUGUST 13, 1990, DENYING THE ENTIRE APPLICATION FOR CONDITIONAL USE

INFORMAL BRIEFING

(to follow Planning item)

2. Informal Review of Formal Agenda of **October 25, 1990**

Wednesday, October 24, 1990 - 9:00 - 11:50 AM
Standard Plaza Building
3rd Floor, Conference Rooms A & B

POLICY DEVELOPMENT COMMITTEE MEETING

- 9:00-9:05 Mission and Guiding Principles final review and recommendation to Board of County Commissioners
- 9:30-11:30 Planning subcommittee will propose policy statements concerning the role of the County in local law enforcement. Discussion and establishment of next steps
- 11:30-11:50 Discuss agenda for meetings with other local jurisdictions about Emergency Response to Possible Passage of Measure 5. Set agenda for next PDC meeting November 7th

Thursday, October 25, 1990 - 9:30 AM
Multnomah County Courthouse, Room 602

FORMAL MEETING

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

CONSENT CALENDAR

JUSTICE SERVICES

SHERIFF'S OFFICE

C-1 Liquor License applications submitted by Sheriff's Office with recommendation that same be approved as follows:

Package Store Renewal for the Orient Country Store, 29822 S.E. Orient Drive, Gresham; the Goldspinks Jackpot, 28210 S.E. Orient Drive, Gresham; the Norwood's AM/PM Mini Market, 14801 S.E. Stark Street, Portland; and the K. S. Food Market, 15231 S.E. Division, Portland

Dispenser Class A Renewal for the Hong Kong Restaurant and Lounge, Inc., 12510 S.E. Division, Portland; the China Hut Restaurant, 16721 S.E. Division, Portland; and the Multnomah Falls Lodge, P.O. Box 367, Troutdale

Retail Malt Beverage Renewal for the Happy Landing Tavern, 520 S.E. 148th Avenue, Portland; the Club Genesis, 13639 S.E. Powell Blvd., Portland; the King's Wild Tavern, 13550 S.E. Powell Blvd., Portland; and the Pleasant Home Saloon, 31637 S.E. Dodge Park Blvd., Gresham

APPROVED

C-2 Ratification of an Intergovernmental Agreement, Contract 201089, Amendments 1, 2 & 3, between Multnomah County Sheriff's Office and the U.S. Marshals Service Prisoner Operations Division, #1 - allows the Sheriff's Office to charge for guard services at hospital; #2 - changes the per diem rate from \$97.55 to \$89.98; and #3 - changes the effective date of amendment #1 to August 1, 1990

APPROVED

C-3 Ratification of an Intergovernmental Cooperative Agreement, Contract 800421, Amendment 1, between Multnomah County Sheriff's Office and the

U.S. Marshals Service for construction financial assistance for Multnomah County Inverness Jail II in the amount of \$1,250,000.00

APPROVED

DEPARTMENT OF ENVIRONMENTAL SERVICES

- C-4 Order Authorizing Deeds for County Road Purposes in the Matter of Conveying Deeds for Certain Real Property to the Public for Road Purposes for N.E. Cherry Park Drive, Item No. 90-291; N.E. 238th Drive, Item No. 90-292; and N.E. Halsey Street, Item No's. 90-293 and 90-294

ORDER 90-175 APPROVED

DEPARTMENT OF HUMAN SERVICES

HEALTH SERVICES AND SOCIAL SERVICES DIVISIONS

- C-5 Ratification of an Intergovernmental Agreement, Contract 101221, Amendment 1, between Multnomah County Social Services Developmental Disabilities Program Office and Reynolds School District to reduce Early Intervention funding by \$200.00 to reflect a change in the service delivery model

APPROVED

REGULAR AGENDA

NON-DEPARTMENTAL

- R-1 RESOLUTION in the Matter of Establishing Budget Policy on Inflationary Increases in County Administered Contracts with Providers of Ongoing Vital Services

RESOLUTION 90-178 APPROVED

JUSTICE SERVICES

SHERIFF'S OFFICE

- R-2 First Reading and Possible Adoption of a Proposed ORDINANCE adopting salary ranges for Fiscal Year 1990-91 for employees covered by the Exempt Classification Compensation Plan and repealing Ordinance 655 and Declaring an Emergency

ORDINANCE 666 APPROVED

- R-3 Budget Modification MCSO 8(a) Appropriating \$87,616 in Oregon Traffic Safety Commission funds to continue the DUII Enforcement Program

APPROVED

DEPARTMENT OF ENVIRONMENTAL SERVICES

- R-4 Hearing in the Matter of a sale of tax foreclosed property as provided by ORS 275.200 for a parcel of vacant land approximately 7200 square feet which has a sharp drop off in elevation

ORDER 90-176 APPROVED

- R-5 ORDER in the Matter of the Conveyance of a Permanent Easement on County Land to Northwest Pipeline Corporation

ORDER 90-179 APPROVED

- R-6 Ratification of an Intergovernmental Agreement, Contract 500131, between Multnomah County Transportation Division and the Metropolitan Service District (Metro), Oregon Department of Transportation (ODOT), Tri-County Metropolitan Transportation District of Oregon (Tri-Met), Washington County and the cities of Beaverton, Hillsboro and Portland to coordinate planning for the Westside Transit Corridor

APPROVED

DEPARTMENT OF GENERAL SERVICES

- R-7 In the Matter of Requesting Ratification of Multnomah County Prosecuting Attorneys Association (MCPAA) 1990-93 Collective Bargaining Agreement

APPROVED

PUBLIC CONTRACT REVIEW BOARD

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

- R-8 ORDER in the Matter of a Specific Exemption to Purchase Brand Name Chairs for County Correctional Facilities

ORDER 90-180 APPROVED

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

DEPARTMENT OF HUMAN SERVICES

AGING SERVICES AND JUVENILE JUSTICE DIVISIONS

R-9 Budget Modification DHS 5 to add \$179,606 in Robert Wood Johnson Foundation funding and \$108,000 United Way funding to the Aging Services Division/Community Action Program Office budget as the first year in a 2-year grant project to develop service-enriched permanent housing for multi-problem families

APPROVED

R-10 In the Matter of Approval of the Robert Wood Johnson Foundation/United Way Grant Awards to accompany Budget Modification DHS 5

APPROVED

R-11 Ratification of an Intergovernmental Agreement, Contract 103031, between Portland State University (PSU) and Multnomah County Juvenile Justice Division for PSU to evaluate the accuracy of the risk assessment scale used by the County Juvenile Court over the last two years and to recommend how the assessment scale can be used more fully in decision making and will provide a process to be followed in evaluating the scale on a routine basis. This agreement is funded by County General Fund Dollars

APPROVED

DEPARTMENT OF HUMAN SERVICES

HEALTH SERVICES AND SOCIAL SERVICES DIVISIONS

R-12 RESOLUTION in the Matter of a Multnomah County Great Start Plan

RESOLUTION 90-177 APPROVED

There being no further business, the meeting was adjourned.

BOARD CLERK FOR MULTNOMAH COUNTY, OREGON

Deborah L. Bogstad

Thursday October 25, 1990 - 7:30 PM
Gresham City Hall, Council Chambers
1333 N.W. Eastman Parkway
Gresham, Oregon

JOINT INFORMATIONAL BRIEFING

The Citizen Involvement Committee and the Board of County Commissioners will Meet for a Briefing on the Magnitude of Ballot Measure 5 Impacts.

AGENDA

1. Impact Analysis Process
Jack Horner, Richard Levy
2. Citizen Budget Advisory Committee Chairs' Reports:
Library Advisory Board
District Attorney
Sheriff
Department of Community Corrections
Human Services Citizen Advisory Board
Environmental Services
General Services
Non-Departmental
3. Central Citizen Budget Advisory Committee's Concluding Remarks
4. Citizen Involvement Committee/Board of County Commissioner's Discussion
5. Adjourn