

**ANNOTATED AGENDA FOR THE
MEETINGS OF THE
BOARD OF COMMISSIONERS**

Thursday, February 22, 2001 - 9:30 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

REGULAR MEETING

Chair Beverly Stein convened the meeting at 9:33 a.m., with Vice-Chair Lisa Naito, and Commissioners Diane Linn, Serena Cruz and Lonnie Roberts present.

CONSENT CALENDAR

UPON MOTION OF COMMISSIONER LINN, SECONDED BY COMMISSIONER CRUZ, THE CONSENT CALENDAR (ITEMS C-1 THROUGH C-2) WAS UNANIMOUSLY APPROVED.

SHERIFF'S OFFICE

C-1 Renewal Intergovernmental Agreement 4600001662 with the City of Portland, Providing Booking Identification Technician Services

DEPARTMENT OF COMMUNITY JUSTICE

C-2 Intergovernmental Revenue Agreement 0111038 with the City of Portland, Providing S.T.O.P. Drug Diversion Program Funding for Outpatient Drug and Acupuncture Treatment Services

**REGULAR AGENDA
PUBLIC COMMENT**

Public Comment was made and received for the record.

DEPARTMENT OF HEALTH

R-1 NOTICE OF INTENT to Respond to a Request for Proposals from the U.S. Environmental Protection Agency for an Environmental Monitoring for Public Access and Community Tracking (EMPACT) Metro Grant

COMMISSIONER NAITO MOVED AND COMMISSIONER LINN SECONDED, APPROVAL OF R-I. JOHN DOUGHERTY AND JODI DAVICH EXPLANATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION. NOTICE OF INTENT UNANIMOUSLY APPROVED.

DEPARTMENT OF SUSTAINABLE COMMUNITY DEVELOPMENT

R-2 NOTICE OF INTENT to Apply for an Oregon Bicycle and Pedestrian Program Grant

COMMISSIONER NAITO MOVED AND COMMISSIONER LINN SECONDED, APPROVAL OF R-2. KAREN SCHILLING EXPLANATION AND RESPONSE TO BOARD QUESTIONS ON PROPOSED PROJECT IF STATE AWARDS GRANT. NOTICE OF INTENT UNANIMOUSLY APPROVED.

DEPARTMENT OF COMMUNITY JUSTICE

R-3 NOTICE OF INTENT to Apply for a Grant from the Federal Drug Courts Program Office to Fund Services Provided by the Juvenile Treatment Court Program

CHAIR STEIN ADVISED THE DEPARTMENT WILL NOT BE APPLYING FOR THIS GRANT AT THIS TIME AND ASKED THE BOARD FOR A MOTION TO POSTPONE INDEFINITELY. UPON MOTION OF COMMISSIONER LINN, SECONDED BY COMMISSIONER NAITO, R-3 WAS UNANIMOUSLY POSTPONED INDEFINITELY.

DEPARTMENT OF LIBRARY SERVICES

R-4 RESOLUTION Authorizing Library Legal Action Regarding Internet Filtering

COMMISSIONER LINN MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF R-4. GINNIE COOPER EXPLANATION. TERRY MCCALL, ON BEHALF OF THE LIBRARY BOARD, TESTIMONY IN SUPPORT OF RESOLUTION ADOPTION. MS. COOPER AND MR. MCCALL RESPONSE TO QUESTIONS OF COMMISSIONERS ROBERTS AND NAITO REGARDING EXAMPLES OF PROPOSED FILTERING AND HOW MUCH LITIGATION WILL COST COUNTY. COUNTY ATTORNEY TOM SPONSLER ADVISED THE COUNTY ATTORNEY'S OFFICE WILL PROVIDE AN ESTIMATED 100 HOURS OF STAFF TIME IF THE RESOLUTION IS ADOPTED. JOE JOHNS AND DIANA GLEASON TESTIMONY IN SUPPORT OF COUNTY JOINING THE AMERICAN CIVIL LIBERTIES UNION LAWSUIT. JEAN NATIONS IN OPPOSITION TO THE COUNTY JOINING THE ACLU LAWSUIT BECAUSE OF INTERNET ACCESS CONCERNS FOR CHILDREN. COMMISSIONER ROBERTS ADVISED HE HAS NEVER SUPPORTED THE ACLU BUT WILL SUPPORT THIS RESOLUTION. COMMISSIONER LINN ADVISED SHE IS COMMITTED TO PROTECT CHILDREN FROM INTERNET PORNOGRAPHY BUT DOES NOT WANT TO ALLOW CONGRESS TO REQUIRE SWEEPING FILTERING SYSTEM. COMMISSIONER LINN ADVISED SHE SUPPORTS TODAY'S RESOLUTION AND THAT SHE IS CONFIDENT OUR LIBRARY CAN PROVIDE A GOOD FILTERING SYSTEM. COMMISSIONER NAITO STATED THAT THIS IS NOT THE PLACE TO DISCUSS PROTECTING OUR CHILDREN, THAT THIS ISSUE IS

WHETHER WE WANT THE FEDERAL GOVERNMENT TO MANDATE AN UNACCEPTABLE FILTERING SYSTEM AND THAT SHE SUPPORTS ACCESS TO INFORMATION. COMMISSIONER CRUZ STATED SHE IS PLEASED TO JOIN HER COLLEAGUES IN SUPPORT OF THIS RESOLUTION AND THANKED THE LIBRARY BOARD, GINNIE COOPER AND LIBRARY STAFF FOR THEIR WORK ON THIS ISSUE. COMMISSIONER CRUZ STATED THAT THE JUSTICE WHITE DECISION WAS NOT HELPFUL; THAT THE FEDERAL FILTERING SYSTEM WOULD DENY MANY SITES TO YOUTH WHO NEED PARTICULAR INFORMATION; AND THAT SHE SUPPORTS PARENTS' RIGHT TO CHOOSE, NOT THE FEDERAL GOVERNMENT. IN RESPONSE TO A QUESTION OF CHAIR STEIN, MS. COOPER ADVISED THAT OF 812 COMPLAINTS THE LIBRARY RECEIVED LAST YEAR, 34 WERE REGARDING THE CONTENT OF CERTAIN BOOKS AND MATERIALS AND 11 WERE COMPLAINTS REGARDING INTERNET ACCESS TO CHILDREN UNDER TEN. MS. COOPER STATED THAT THE FEDERAL MANDATE WOULD BLOCK ACCESS TO ALL, NOT JUST CHILDREN. IN RESPONSE TO A COMMENT BY CHAIR STEIN, MS. COOPER EXPLAINED ALL THE COUNTY LIBRARY BRANCHES HAVE IMPLEMENTED A FILTERING SYSTEM ON COMPUTERS AVAILABLE ONLY FOR CHILDREN. CHAIR STEIN COMMENDED MS. COOPER, THE LIBRARY BOARD AND STAFF FOR THEIR WORK ON THIS ISSUE, ADVISING THAT MULTNOMAH COUNTY IS PROBABLY AHEAD OF MANY LIBRARIES IN THE NATION. CHAIR STEIN STATED THAT THE FEDERAL GOVERNMENT IS PROPOSING A MISMATCH SOLUTION THAT IS TOO BROAD AND THAT THE ISSUE SHOULD BE LEGISLATED BY LOCAL GOVERNMENT. RESOLUTION 01-019 UNANIMOUSLY APPROVED.

SHERIFF'S OFFICE

R-5 Budget Modification MCSO 01 Requesting \$89,920 General Fund Contingency to Pay for 3.9 FTE Facility Security Officers and Related Equipment to Staff a State Court Established Night Court in Gresham (Continued from February 15, 2001)

COMMISSIONER CRUZ MOVED AND COMMISSIONER LINN SECONDED, TO POSTPONE INDEFINITELY. SHERIFF DAN NOELLE EXPLANATION AND REQUEST FOR BOARD APPROVAL OF GENERAL FUND CONTINGENCY FUNDS FOR GRESHAM NIGHT COURT. IN RESPONSE TO QUESTIONS OF COMMISSIONER CRUZ, PRESIDING JUDGE ROBERT ELLIS DISCUSSED IMPLICATIONS OF POSSIBLE STATE LEGISLATION MANDATING INCREASED NUMBERS OF JUDGES AND COURTS IN MULTNOMAH COUNTY, ADVISING THE COURT MAY REQUIRE NIGHT COURT FOUR NIGHTS A WEEK AS EARLY AS JULY, 2001. IN RESPONSE TO A QUESTION OF COMMISSIONER ROBERTS, JUDGE ELLIS EXPLAINED THAT THE COUNTY HAS HAD TO PROVIDE COURT FACILITIES AND SECURITY SINCE THE STATE TOOK OVER THE COURTS FROM THE COUNTY IN 1981. SHERIFF NOELLE AND JUDGE ELLIS COMMENTED REGARDING FUNDING. COMMISSIONER NAITO ADVISED SHE IS HAPPY TO SUPPORT THE SHERIFF FINDING MONEY IN HIS BUDGET FOR GRESHAM SECURITY AND COMMENTED

ON THE NEED FOR JOINT BUDGET PLANNING BETWEEN THE STATE, COUNTY AND CITIES TO PREVENT THE RIPPLE EFFECT, INCLUDING THE LAY OFF OF 20 DEPUTY DISTRICT ATTORNEYS. CHAIR STEIN COMMENTS REGARDING THE ROLE OF THE LOCAL PUBLIC SAFETY COORDINATING COMMITTEE IN THE BUDGET PROCESS; AND NEED TO DISCUSS AND PLAN ISSUES WITHIN THE COURT SECURITY COMMITTEE. CHAIR STEIN SUGGESTED THAT SHERIFF TAKE MONEY FROM HIS BUDGET FOR THE CURRENT YEAR AND DISCUSS NEXT YEAR'S BUDGET AT THE APPROPRIATE TIME AS SHE DOES NOT WANT TO COMMIT TO NEXT YEAR UNTIL THE APPROPRIATE TIME. COMMISSIONER CRUZ ASKED THAT THE COURT SECURITY COMMITTEE REPORT TO THE BOARD AND THAT WHEN ADDITIONAL FUNDS ARE SOUGHT, THEY ARE DONE JOINTLY WITH ALL AFFECTED PARTIES. COMMISSIONER ROBERTS ADVISED HE WILL ARRANGE FOR A BRIEFING OF THE COURT SECURITY COMMITTEE. BUDGET MODIFICATION UNANIMOUSLY POSTPONED INDEFINITELY.

ADJOURNMENT

The regular meeting was adjourned and the briefing convened at 11:13 a.m.

Thursday, February 22, 2001 - 10:30 AM

Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

BOARD BRIEFING

Chair Beverly Stein convened the meeting at 11:13 a.m., with Vice-Chair Lisa Naito, and Commissioners Diane Linn, Serena Cruz and Lonnie Roberts present.

B-1 Update on the 2001 Oregon Legislature. Presented by Gina Mattioda, Stephanie Soden and Dave Boyer.

GINA MATTIODA, DA VE BOYER, STEPHANIE SODEN AND JIM MCCONNELL PRESENTATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION ON ISSUES INCLUDING THE COUNTY'S POSITION ON PROPOSED TIER III PUBLIC EMPLOYEE RETIREMENT SYSTEM LEGISLATION; SHARING COUNTY'S POSITION WITH THE COUNTY'S LEGISLATIVE DELEGATION AT THE PUBLIC AFFAIRS OFFICE SCHEDULED MARCH 12, 2001 BROWN BAG MEETING; MEASURES 8, 2, 7 AND LC 552; STATE HUMAN SERVICES EMPLOYEES; CO-CHAIR'S BUDGET; AND OREGON CHILDREN'S PLAN. COUNTY ATTORNEY TOM SPONSLER ADVISED THAT MEASURE 7 HAS BEEN DECLARED UNCONSTITUTIONAL.

ADJOURNMENT

There being no further business, the meeting was adjourned at 12:02 p.m.

Submitted by:
Lynda J. Grow, Board Clerk,
Marina Baker, Assistant Board Clerk and
Shirley Luo, Intern
Board of County Commissioners
Multnomah County