

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

Tuesday, December 2, 2008 - 7:30 AM to 9:00 AM
Multnomah Building, Third Floor Conference Room 315
501 SE Hawthorne Boulevard, Portland

**LOCAL PUBLIC SAFETY COORDINATING COUNCIL
EXECUTIVE COMMITTEE MEETING**

A quorum of the Multnomah County Board of Commissioners may be attending the Local Public Safety Coordinating Council Executive Committee meeting. This meeting is open to the public. For agenda topics and/or further information, contact LPSCC Executive Director Carol Wessinger at 503 988-5894.

Tuesday, December 2, 2008 - 9:00 AM
Multnomah Building, Sixth Floor Commissioners Conference Room 635
501 SE Hawthorne Boulevard, Portland

EXECUTIVE SESSION

Chair Ted Wheeler convened the meeting at 9:04 a.m., with Vice-Chair Jeff Cogen and Commissioner Maria Rojo de Steffey present, and Commissioner Lonnie Roberts arriving at 9:08 a.m. and Commissioner Lisa Naito arriving at 9:19 a.m.

E-1 The Multnomah County Board of Commissioners will meet in Executive Session Pursuant to ORS 192.660(2)(d),(e) and/or (h). Only Representatives of the News Media and Designated Staff are allowed to attend. News Media and All Other Attendees are Specifically Directed Not to Disclose Information that is the Subject of the Session. No Final Decision will be made in the Session. Presented by County Attorney Agnes Sowle.

EXECUTIVE SESSION HELD.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:30 a.m.

Tuesday, December 2, 2008 - 10:00 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

EMPLOYEE SERVICE RECOGNITION

Chair Ted Wheeler convened the meeting at 10:06 a.m., with Vice-Chair Jeff Cogen and Commissioners Lisa Naito, Lonnie Roberts and Maria Rojo de Steffey present.

B-1 Employee Service Recognition Ceremony for January 1 – December 31, 2008 Anniversary Dates for Employees with 15 or More Years of Service

TRAVIS GRAVES WELCOME COMMENTS. CHAIR WHEELER SPECIAL RECOGNITION TO VIKKI LEE REYNOLDS, 35 YEARS, DEPARTMENT OF COUNTY MANAGEMENT; ALAN PROFFITT, 20 YEARS, DEPARTMENT OF COUNTY MANAGEMENT AND ROXANNE HANNEMAN, 15 YEARS, DEPARTMENT OF COUNTY HUMAN SERVICES, AGING AND DISABILITY SERVICES. BOARD GREETED AND ACKNOWLEDGED COUNTY EMPLOYEES AS FOLLOWS: 15 YEAR AWARDS TO: BETH MCHUGH, ROXANNE HANNEMAN, MELVIN DENNIS, KAREN RIGMAIDEN-OTTEM, LYNDA MARTIN, CATHERINE SCOTT, PAMELA PERRY AND SHELLY IMMEL FROM DCHS; RACHEL BOUTON FROM DCJ; LINDA TRUONG, KAREN HUDSON, CAROL SUMMER, RICHARD SWIFT, CLAUDETTE KINTARO AND JENNIFER TOMASCO FROM DCM; SAMUAL KONADU AND GEORGANN DUSTAN FROM DCS; MARTA GUEMBES, CONSUELA SARAGOZA, TINA NGUYEN, ANA CALLES AND ELNETTA WILLIAMS FROM HD; AND ANNE SHEPARD FROM DLS. 20 YEAR AWARDS TO: JOANNE FULLER, NANCY HESSELMAN, LINDA BAILEY, LENNISE SANDERS, KRISTINA OGILVIE, TOM THOMAS, GABRIELLE FERRANTE, DONNA STONEY, HC TUPPER, ROBBIN WIGGINS AND NELLIE STEARNS FROM DCHS; LAURA HOLOCH, RICHIE GOSS AND LAURA WEISHAAR FROM DCJ; ALAN PROFFITT, MICHAEL MCBRIDE, DWIGHT WALLIS, JAMIE HOHNSTEIN, MICHAEL NIIYAMA, JOHN LINDENTHAL AND DEBRA ANDERSON FROM DCM; PATRICK HINDS, DENNIS DEXTER AND THOMAS DAHL FROM DCS; TERRY BONNETT, CHARLOTTE HUTCHINSON, CORNELIA KITZING, BARBARA BRODERICK AND JOAN SEARS FROM HD; CATHERINE RONCONI FROM DLS; AND MARIA ROJO DE STEFFEY FROM NOND. 25 YEAR AWARDS TO: CARLA GONZALES AND JEANNETTE HANKINS FROM DCM; AND JANET WALLINDER FROM HD. 30 YEAR AWARDS TO: SHAUN COLDWELL FROM DCJ; DONALD GERTZ FROM DCM; TERRIE WEISZ AND WILLIAM SMITH FROM DCS; JANINE TEBEAU-JEMERSON FROM HD; AND MARIA KONTUR FROM DLS. AND 35 YEAR AWARD TO VIKKI REYNOLDSON FROM DCM.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:25 a.m.

Thursday, December 4, 2008 - 9:30 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

REGULAR MEETING

Chair Ted Wheeler convened the meeting at 9:35 a.m., with Vice-Chair Jeff Cogen and Commissioners Lisa Naito, Lonnie Roberts and Maria Rojo de Steffey present.

CONSENT CALENDAR

UPON MOTION OF COMMISSIONER COGEN, SECONDED BY COMMISSIONER ROBERTS, THE CONSENT CALENDAR (ITEMS C-1 THROUGH C-4) WAS UNANIMOUSLY APPROVED. [5-0]

DEPARTMENT OF COUNTY HUMAN SERVICES

C-1 ORDER Authorizing Designees of the Mental Health Program Director to Direct a Peace Officer to Take an Allegedly Mentally Ill Person into Custody

ORDER 08-154

C-2 BUDGET MODIFICATION DCHS-17 Reclassifying a Vacant Case Manager 2 Position to Case Manager 1 Position in the Aging and Disabilities Services Division, as Determined by Class/Comp unit of Central Human Resources

DEPARTMENT OF COMMUNITY SERVICES

C-3 RESOLUTION Authorizing the Repurchase of a Tax Foreclosed Property by the Former Owners Jeffrey A. & Karen S. Mattsen

RESOLUTION 08-155

C-4 Renewal of Non-Financial Intergovernmental Agreement 0310534 with the State of Oregon Department of Transportation for Oregon Public Works Emergency Response Cooperative Assistance

REGULAR AGENDA
PUBLIC COMMENT

Public Comment was made and received for the record.

NON-DEPARTMENTAL

R-1 PROCLAMATION Proclaiming Wednesday, December 10, 2008 Human Rights Day in Multnomah County, and Announcing Multnomah County's Participation in Celebrating 2009 as the United Nations International Year of Human Rights Learning. Presented by Dr. Herman Frankel.

COMMISSIONER NAITO MOVED AND COMMISSIONER ROJO SECONDED, APPROVAL OF R-1.

CHAIR WHEELER ADVISED THAT DECEMBER 10, 2008 IS THE CELEBRATION OF THE 60TH ANNIVERSARY OF THE UNITED NATIONS DECLARATION OF HUMAN RIGHTS AND THAT THE UNITED NATIONS IS RECOGNIZING 2009 AS THE INTERNATIONAL YEAR OF HUMAN RIGHTS LEARNING. CHAIR WHEELER ACKNOWLEDGED COMMISSIONER COGEN'S WORK WITH THE OFFICE OF DIVERSITY AND ADVISED THAT THE CHAIR'S OFFICE AND COMMISSIONER COGEN'S OFFICE, ALONG WITH OTHER COMMISSIONERS, WILL WORK WITH COUNTY DEPARTMENTS AND AFFINITY GROUPS TO IMPLEMENT APPROPRIATE EVENTS AND TRAINING OVER THE COURSE OF 2009. CHAIR WHEELER ADVISED THAT THE CITY OF PORTLAND WILL BE READING THE PROCLAMATION NEXT WEEK AND THAT THE COUNTY WILL WORK WITH PORTLAND'S HUMAN RELATIONS COMMITTEE TO FIND WAYS TO REALIZE THE GOALS OF THE INTERNATIONAL YEAR OF HUMAN RIGHTS LEARNING.

CHAIR WHEELER INTRODUCED DR. HERMAN FRANKEL AND THANKED HIM FOR HIS ASSISTANCE IN WRITING THE PROCLAMATION. DR. FRANKEL PRESENTATION IN SUPPORT OF HUMAN RIGHTS FOR ALL HUMAN BEINGS AND READING OF THE PROCLAMATION.

Commissioner Roberts was excused at 10:14 a.m.

COMMISSIONERS COGEN, ROJO AND NAITO THANKED DR. FRANKEL FOR HIS TIRELESS ADVOCACY ON BEHALF OF HUMAN RIGHTS AND FOR PUSHING THE COUNTY AND CITY TO SUPPORT HUMAN RIGHTS LEARNING.

PROCLAMATION 08-156 UNANIMOUSLY ADOPTED. [4-0]

Commissioner Roberts returned at 10:16 a.m.

DEPARTMENT OF COUNTY MANAGEMENT

R-2 BUDGET MODIFICATION OVER-01 Appropriating \$2,147,633 for Labor Contract Settlement (FOPPO 2007-10) and Interest Arbitration Awards in the Department of Community Justice (JCSS 2007-10) and the Sheriff's Office (MCCDA Limited Reopener of 2007-08)

COMMISSIONER ROJO MOVED AND COMMISSIONER NAITO SECONDED, APPROVAL OF R-2.

MARK CAMPBELL EXPLANATION.

BUDGET MODIFICATION UNANIMOUSLY APPROVED. [5-0]

DEPARTMENT OF COMMUNITY JUSTICE

R-3 BUDGET MODIFICATION DCJ-12 Appropriating \$25,968 from the Parental Access and Visitation Grant

COMMISSIONER ROJO MOVED AND COMMISSIONER COGEN SECONDED, APPROVAL OF R-3.

JANICE ASHE EXPLANATION.

BUDGET MODIFICATION UNANIMOUSLY APPROVED. [5-0]

NON-DEPARTMENTAL

R-4 Briefing and Discussion on Court Facilities Funding Status. Presented by Commissioner Lisa Naito, Mark Pengilly, Phillip Kennedy-Wong, Presiding Judge Jean Maurer and Michael Dwyer. 30 MINUTES REQUESTED.

COMMISSIONER LISA NAITO, MARK PENGILLY, STAFF ASSISTANT TO COMMISSIONER NAITO, PRESIDING JUDGE JEAN KERR MAURER, SHERIFF BOB SKIPPER, AND MICHAEL DWYER, PRESIDENT, MULTNOMAH BAR ASSOCIATION, PRESENTATIONS ON THE ESTIMATED COSTS OF A NEW MULTNOMAH COUNTY COURTHOUSE; THE NEED FOR A NEW COURTHOUSE TO ACCOMMODATE THE INCREASED AMOUNT OF TRAFFIC GOING THROUGH THE FACILITY DAILY; AND TO PROVIDE THE STAFF AND PUBLIC WITH A HEALTHY AND SAFE ENVIRONMENT IN WHICH TO CONDUCT JUDICIAL BUSINESS.

PHILLIP KENNEDY-WONG, INTERGOVERN-MENTAL RELATIONS MANAGER FOR CHAIR WHEELER, DISCUSSED THE FUNDING CHALLENGE DURING THIS UNPRECEDENTED ECONOMIC DOWNTURN; THE NEED TO BE CREATIVE AND LOOK AT OTHER REVENUE SOURCES; AND URGING LEADERSHIP TO GO TO SALEM IN SUPPORT OF STATE FUNDING FOR A NEW DOWNTOWN COURTHOUSE. JUDY EDWARDS, EXECUTIVE DIRECTOR, OREGON BAR ASSOCIATION, ADVISED THE OREGON BAR ASSOCIATION CONTINUES TO SUPPORT AN EAST COUNTY JUSTICE FACILITY.

COMMISSIONER ROBERTS COMMENTED THAT SINCE THE STATE LEGISLATURE TOOK OVER COUNTY COURTHOUSES, THE STATE SHOULD PAY FOR THEM. IN RESPONSE TO A QUESTION OF COMMISSIONER ROBERTS,

MARK PENGILLY ADVISED THAT DIFFERENT INTEREST GROUPS HAVE THEIR OWN IDEAS ON WHAT TO DO WITH THE OLD COURTHOUSE, WHICH IS ON THE HISTORICAL REGISTER.

COMMISSIONER NAITO THANKED GUESTS FOR PARTICIPATING IN THIS DISCUSSION.

ATTORNEY ROGER WEIDNER SPOKE IN FAVOR OF THE COURTS BEING CONSTITUTIONALLY GOVERNED.

DEPARTMENT OF HEALTH

R-5 First Reading of a Proposed ORDINANCE Amending MCC Chapter 21 Relating to Smokefree Places of Employment and Public Places

COMMISSIONER COGEN MOVED AND COMMISSIONER NAITO SECONDED, APPROVAL OF THE FIRST READING.

COMMUNITY HEALTH PROMOTION PROGRAM MANAGER SONIA MANHAS AND PROGRAM DEVELOPMENT SPECIALIST SENIOR RACHAEL BANKS EXPLANATION, ADVISING THAT IN JANUARY 2009, THE OREGON INDOOR CLEAN AIR ACT EXPANDS TO COVER WORKSITES NOT CURRENTLY COVERED BY THE LAW; AND THAT STAFF WISHES TO REMOVE ANY SECTIONS OF THE COUNTY ORDINANCE THAT ARE DIFFERENT FROM STATE LAW IN ORDER TO MINIMIZE CONFUSION AND STREAMLINE POLICY DOCUMENTS. MS. BANKS EXPLAINED THAT ONLY ONE SECTION OF THE COUNTY ORDINANCE IS MORE STRINGENT THAN THE OREGON INDOOR CLEAN AIR ACT, WHICH IS THE COUNTY'S TWENTY FOOT DOORWAY REQUIREMENT FOR HOSPITALS, WHICH STAFF WISHES TO RETAIN.

COMMISSIONER NAITO ADVISED IT WAS ALWAYS THE COUNTY'S PLAN TO ADD BARS AND TAVERNS TO THE LIST OF SMOKEFREE PLACES OF EMPLOYMENT AND STATED SHE IS HAPPY THAT THE STATE IS EXPANDING THE LAW IN THIS WAY.

MS. BANKS ADVISED SHE IS PROUD TO WORK FOR MULTNOMAH COUNTY, IN THE VANGUARD OF STATE LAWS. MS. MANHAS THANKED COMMISSIONER NAITO FOR HER LEADERSHIP AND SUPPORT.

THE FIRST READING WAS UNANIMOUSLY APPROVED. THE SECOND READING IS THURSDAY, DECEMBER 11, 2008. [5-0]

R-6 BUDGET MODIFICATION HD-11 Appropriating \$10,000 in Revenue from Oregon Health and Science University for the Breast Health Promotion Among Women with Disabilities Project

COMMISSIONER ROJO MOVED AND COMMISSIONER NAITO SECONDED, APPROVAL OF R-6.

COMMUNITY CAPACITATION CENTER MANAGER NOELLE WIGGINS, WITH MARJORIE MCGEE, EXPLANATION. MS. MCGEE EXPRESSED HER APPRECIATION FOR THE PROJECT FUNDING AND ADVISED SHE WAS HAPPY TO COME TODAY TO HEAR THE HUMAN RIGHTS PRESENTATION, AND THAT IT MADE HER VERY PROUD.

BUDGET MODIFICATION UNANIMOUSLY APPROVED. [5-0]

R-7 NOTICE OF INTENT to Approve Grant Funding from the Northwest Health Foundation for the Evaluation of Pizzicato's Early Adoption of the Chain Restaurant Nutrition Labeling Policy

COMMISSIONER COGEN MOVED AND COMMISSIONER NAITO SECONDED, APPROVAL OF R-7.

COMMUNITY HEALTH PROMOTION RESEARCH/EVALUATION SUPERVISOR DR. MYDE BOLES, WITH PROGRAM MANAGER SONIA MANHAS, EXPLANATION, ADVISING THAT A LOCAL, FAMILY-OWNED BUSINESS, PIZZICATO GOURMET PIZZA HAS AGREED TO BE AN EARLY ADOPTER OF THE NUTRITION LABELING POLICY AND IS VERY INTERESTED IN EVALUATING THE PROCESS AND IMPACT OF THE POLICY ON THEIR BUSINESS. DR. BOLES EXPLAINED THAT AFTER BECOMING AWARE OF THIS UNIQUE PUBLIC-PRIVATE PARTNERSHIP, THE NORTHWEST HEALTH FOUNDATION EXPRESSED ITS INTEREST IN PROVIDING PROGRAM DESIGN AND EVALUATION SERVICES FUNDING TO SUPPORT THE EVALUATION OF THIS EARLY IMPLEMENTATION.

NOTICE OF INTENT APPROVED, WITH COMMISSIONERS NAITO, ROBERTS, COGEN AND WHEELER VOTING AYE AND COMMISSIONER ROJO VOTING NO. [4-1]

DEPARTMENT OF COMMUNITY SERVICES

R-8 First Reading and Possible Adoption of a Proposed ORDINANCE Amending County Land Use Code, Plans and Maps to Adopt Portland's Recent Land Use Code, Comprehensive Plan and Map Revisions Related to the North Pearl District Plan in Compliance with Metro's Functional Plan and Declaring an Emergency

COMMISSIONER NAITO MOVED AND COMMISSIONER ROJO SECONDED,

APPROVAL OF FIRST READING AND ADOPTION.

SENIOR PLANNER ADAM BARBER EXPLANATION.

NO ONE WISHED TO TESTIFY.

COMMISSIONER NAITO COMMENTS IN SUPPORT.

THE FIRST READING WAS APPROVED AND ORDINANCE 1123 UNANIMOUSLY ADOPTED. [5-0]

R-9 First Reading of a Proposed ORDINANCE Amending the Multnomah County Code Chapter 38, National Scenic Area, to Make Technical Corrections for Consistency with the Columbia River Gorge NSA Management Plan and to Update NSA Approval Criteria for Horse Boarding

COMMISSIONER ROJO MOVED AND COMMISSIONER COGEN SECONDED, APPROVAL OF THE FIRST READING.

SENIOR PLANNER ADAM BARBER EXPLANATION OF THE TECHNICAL CHANGES AND EXPLANATION ON UPDATE APPROVAL CRITERIA INCLUDING CARE AND BOARDING OF HORSES; BOARDING FOR FEES; AND NON-PROFIT HORSE RESCUING.

MICHAEL LANG, ON BEHALF OF THE FRIENDS OF THE GORGE, TESTIMONY SUPPORTING THE PROPOSED CODE AMENDMENT WITH REQUESTED CLARIFICATION OF LANGUAGE IN SECTION 26 REGARDING BOARDING OF HORSES; AND THE ADDITION OF LANGUAGE ADVISING THAT AMENDMENTS TO CHAPTER 38, COLUMBIA RIVER GORGE NATIONAL SCENIC AREA SHALL BE EFFECTIVE UPON NOTIFICATION OF APPROVAL BY THE COLUMBIA RIVER GORGE COMMISSION AND IF NECESSARY, CONCURRENCE BY THE SECRETARY OF AGRICULTURE.

IN RESPONSE TO A QUESTION OF COMMISSIONER ROBERTS, MR. BARBER ADVISED THAT LAND USE PLANNING WOULD PROVIDE A FULL SCENIC REVIEW FOR ANYONE FILING A REQUEST FOR NEW USE. COMMISSIONER NAITO STATED SHE FEELS THE AMENDMENTS PROPOSED BY THE FRIENDS OF THE GORGE ARE REASONABLE.

UPON MOTION OF COMMISSIONER NAITO, SECONDED BY COMMISSIONER ROJO, AN AMENDMENT TO SECTION 26, 38.7385(A) TO READ: "THE BOARDING OF HORSES OR A NON-PROFIT HORSE RESCUE FACILITY MAY BE ESTABLISHED AS AUTHORIZED IN VARIOUS DISTRICTS PROVIDED THE APPROVAL AUTHORITY MAKES FINDINGS ON THE PROPERTY CHARACTERISTICS. PARCEL SIZE AND IMPACTS TO NEIGHBORS AND SETS A MAXIMUM NUMBER OF HORSES THAT MAY BE BOARDED AT ANY ONE TIME

BASED UPON THOSE FINDINGS.” AND AN AMENDMENT ADDING SECTION 27 TO READ: “THE AMENDMENTS TO CHAPTER 38 COLUMBIA RIVER GORGE NATIONAL SCENIC AREA SHALL BE EFFECTIVE UPON NOTIFICATION OF APPROVAL BY THE COLUMBIA RIVER GORGE COMMISSION AND IF NECESSARY, CONCURRENCE BY THE SECRETARY OF AGRICULTURE” WERE UNANIMOUSLY APPROVED. [5-0]

THE FIRST READING WAS UNANIMOUSLY APPROVED, AS AMENDED. THE SECOND READING IS THURSDAY, DECEMBER 11, 2008. [5-0]

R-10 First Reading of a Proposed ORDINANCE Amending MCC Chapter 37 Administration and Procedures, Chapter 29 Building Code, and Land Use Regulations Chapters 11.15, 33, 34, 35, 36, 38 Relating to Land Use Code Enforcement

COMMISSIONER ROBERTS MOVED AND COMMISSIONER COGEN SECONDED, APPROVAL OF THE FIRST READING.

CODE ENFORCEMENT PROGRAM DEVELOPMENT SPECIALIST MICHAEL GRIMMETT, WITH LAND USE TRANSPORTATION PLANNING SENIOR PROGRAM MANAGER KAREN SCHILLING AND ASSISTANT COUNTY ATTORNEY JED TOMKINS, EXPLANATION, ADVISING THAT THE PLANNING COMMISSION DIRECTED STAFF TO MAKE THE BOARD AWARE OF ITS RESERVATIONS ON THE ADEQUACY OF A \$10,000 FINE CAP PER VIOLATION AMOUNT; THAT THE COMMISSION FELT THE FINE CAP WAS AN APPROPRIATE POLICY CHANGE, HOWEVER, THE COMMISSION HAD RESERVATIONS ON WHETHER THE \$10,000 CAP PER VIOLATION AMOUNT WOULD BE INCENTIVE ENOUGH FOR HIGHER INCOME PROPERTY OWNERS TO VOLUNTARILY COMPLY WITH COUNTY REGULATIONS, OR IF PAYING A \$10,000 FINE PER VIOLATION WOULD BE CONSIDERED A BUSINESS COST FOR A HIGH PROFIT NON-PERMITTED COMMERCIAL ACTIVITY INSTEAD OF VOLUNTARILY CEASING THE COMMERCIAL USE.

COMMISSIONER NAITO ADVISED SHE WILL VOTE NO.

MICHAEL LANG, ON BEHALF OF THE FRIENDS OF THE GORGE, TESTIMONY IN SUPPORT OF THE ORDINANCE WITH THE EXCEPTION OF THE \$10,000 CAP, ADVISING IF \$10,000 IS VIEWED AS THE COST OF DOING BUSINESS, IT SHOULD NOT BE SO LOW, AND THE FRIENDS OF THE GORGE SUPPORTS A \$20,000 OR \$25,000 CAP.

COMMISSIONER NAITO MOVED AND COMMISSIONER COGEN SECONDED, AMENDMENT TO PAGE 4, SECTION 9, 37.0965 CIVIL FINE, THAT PORTION OF SENTENCE (A) ELIMINATING THE PROPOSED NEW LANGUAGE STATING: AND SHALL NOT EXCEED \$10,000 IN TOTAL, EXCLUSIVE OF INTEREST.

ASSISTANT COUNTY ATTORNEY JED TOMKINS ADVISED THE BOARD HAS DISCRETION IN THIS ISSUE AND THAT THE CAP ADDRESSES MOTIVATION FOR COMPLIANCE.

CHAIR WHEELER ADVISED HE SUPPORTS COLLABORATION WITH THE MULTNOMAH COUNTY PLANNING COMMISSION AND FRIENDS OF THE COLUMBIA GORGE.

COMMISSIONER ROBERTS ADVISED HE WILL VOTE NO ON THE AMENDMENT AS HE SUPPORTS A CAP.

IN RESPONSE TO QUESTIONS OF CHAIR WHEELER WHETHER THERE WAS ANY SUPPORT FOR A \$25,000 CAP, MS. SCHILLING ADVISED THE PLANNING COMMISSION STRUGGLED WITH A \$10,000 CAP; AND THAT THE COUNTY HAS ASSESSED \$1.5 MILLION IN FINES BUT HAS NOT ACTUALLY COLLECTED ANYTHING.

MOTION TO AMEND SECTION 1, 37.0965 CIVIL FINE (A) DELETING THE LANGUAGE "AND SHALL NOT EXCEED \$10,000 IN TOTAL, EXCLUSIVE OF INTEREST;" TO READ: "(A) THE MAXIMUM FINES PER VIOLATION SHALL NOT EXCEED \$3,500 FOR EACH DAY OF NONCOMPLIANCE, THE MINIMUM FINE PER VIOLATION SHALL NOT BE LESS THAN \$45 FOR EACH DAY OF NONCOMPLIANCE." AMENDMENT APPROVED. [4-1]

NO ONE WISHED TO TESTIFY.

THE FIRST READING WAS UNANIMOUSLY APPROVED, AS AMENDED. THE SECOND READING IS THURSDAY, DECEMBER 11, 2009. [5-0]

BOARD COMMENT

No board comments were made.

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:35 a.m.

Submitted by:

Lynda J. Grow, Board Clerk

Marina Baker, Assistant Board Clerk and

Shirley Luo, Intern

Board of County Commissioners

Multnomah County