

# ANNOTATED MINUTES

Tuesday, March 6, 1990 - 9:30 AM  
Multnomah County Courthouse, Room 602

## PLANNING ITEMS

*Chair Gladys McCoy convened the meeting at 9:30 a.m., with Vice-Chair Gretchen Kafoury and Commissioners Pauline Anderson, Rick Bauman and Sharron Kelley present.*

1. Public Hearing Regarding Proposed Changes in the County's Local Review Order to the Economic, Social, Environmental and Energy (ESEE) Analysis Designations for Mineral and Aggregate Sites #4 (Angell Bros. Quarry) and #8 (Howard Canyon). (Continued from February 20, 1990)
2. Public Hearing Regarding Proposed Changes in the County's Local Review Order to the Economic, Social, Environmental and Energy (ESEE) Analysis Relating to a Proposed Alternate Site Designation for Howard Canyon. (Continued from February 20, 1990)

**PLANNING DIRECTOR LORNA STICKEL REVIEWED HER FEBRUARY 28 MEMO REGARDING THE AGGREGATE SITE DESIGNATIONS, AND DISCUSSED ADDITIONAL MATERIAL FROM ATTORNEY PAUL HRIBERNICK. COUNTY COUNSEL LAURENCE KRESSEL EXPLANATION OF PROCESS FOR TODAY, AND IN RESPONSE TO HIS REQUEST FOR BOARD DISCLOSURE OF EX PARTE CONTACTS, COMMISSIONER KAFOURY ADVISED SHE MET WITH LOU SCOTT, MOLLY O'REILLY AND NORA RICHES REGARDING ANGELL BROTHERS; COMMISSIONERS KELLEY AND ANDERSON SUBMITTED WRITTEN MATERIALS THEY RECEIVED IN THEIR OFFICES INTO THE RECORD; AND COMMISSIONERS BAUMAN AND McCOY ADVISED THEY HAVE HAD NO EX PARTE CONTACT SINCE THE LAST MEETING. IT WAS DETERMINED THAT TESTIMONY REGARDING THE HOWARD CANYON SITE WOULD BE HEARD**

FIRST. KAREN THOMAS, RONALD K. RENKEN, PAM PEEBLES AND SUSAN FRY TESTIMONY IN OPPOSITION TO QUARRY EXPANSION. ATTORNEY PAUL HRIBERNICK TESTIMONY IN SUPPORT HOWARD CANYON QUARRY EXPANSION AND RESPONSE TO BOARD QUESTIONS. MS. STICKEL AND PLANNER GARY CLIFFORD RESPONSE TO BOARD QUESTIONS. MICHAEL GAMA, PATRICIA GIVEN AND ROBERT PAETH TESTIMONY IN OPPOSITION TO QUARRY EXPANSION. PETER FRY, LEWIS SCOTT AND ATTORNEY ED SULLIVAN TESTIMONY REGARDING 3B AND 3C DESIGNATIONS OF THE HOWARD CANYON SITE. MR. SULLIVAN REQUESTED SUFFICIENT TIME TO RESPOND TO THE MATERIALS MR. HRIBERNICK SUBMITTED TODAY. FOLLOWING FIVE MINUTE RECESS AND BOARD DISCUSSION WITH MR. SULLIVAN, MR. HRIBERNICK, MR. GAMA AND MS. STICKEL, BOARD CONSENSUS THAT ATTORNEYS FOR PROPONENTS AND OPPONENTS OF HOWARD CANYON ISSUE HAVE ONE WEEK TO PROVIDE WRITTEN RESPONSE TO MATERIALS AND/OR TESTIMONY SUBMITTED TODAY AND TO PREPARE AND SUBMIT PROPOSED FINDINGS. BOARD DETERMINATION ON HOWARD CANYON QUARRY ISSUE SCHEDULED FOR 9:30 AM, TUESDAY, MARCH 27, 1990 TESTIMONY REGARDING THE ANGELL BROTHERS SITE COMMENCED. ANDREW JORDON AND ROBERT PRICE TESTIFIED IN SUPPORT OF QUARRY EXPANSION AND A 3C DESIGNATION. MOLLY O'REILLY, CAROL CANNING, CHRIS WRENCH, DANIEL JANZER, LEWIS SCOTT AND BARBARA WALKER TESTIFIED IN SUPPORT OF A COMPROMISE BETWEEN QUARRY EXPANSION AND WILDLIFE CORRIDOR PROTECTION. SKIP ANDERSON AND DON ANDERSON OF DAVID EVANS AND ASSOCIATES TESTIMONY IN SUPPORT OF QUARRY EXPANSION AND IN SUPPORT OF A COMPROMISE WITH REASONABLE BALANCES. FOLLOWING BOARD DISCUSSION WITH MR. JORDON, MS. CANNING,

**MS. STICKEL, MR. SCOTT, BOARD CONSENSUS THAT MS. STICKEL COORDINATE A MEETING BETWEEN PLANNING, ANGELL BROTHERS AND WILDLIFE CORRIDOR MEMBERS TO NEGOTIATE A MUTUALLY ACCEPTABLE COMPROMISE. ANGELL BROTHERS TO REQUEST AND RECEIVE A TIME EXTENSION ON CONDITIONAL USE PERMIT. BOARD DETERMINATION ON ANGELL BROTHERS QUARRY ISSUE SCHEDULED FOR 9:30 AM, TUESDAY, MARCH 27, 1990.**

*There being no further business, the meeting was adjourned at 12:30 p.m.*

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Tuesday, March 6, 1990 - 1:30 PM  
Multnomah County Courthouse, Room 602

**INFORMAL**

1. Update Board on the Ambulance Service Area State Rules Process and Progress of the EMS Regionalization Concept. Presented by Joe Acker and Dr. Gary Oxman
2. Briefing on Issues Related to Columbia River Gorge. Presented by Sharon Timko, Mark Hess, Dick Benner, Chris Rogers and Lorna Stickel
3. Informal Review of Formal Agenda of March 8, 1990

**CALIFORNIA CHIEF ASSISTANT ATTORNEY GENERAL RICHARD IGLEHART REVIEWED HISTORY OF LEGISLATIVE PROCESS WHICH LED TO CALIFORNIA'S BAN ON MOST ASSAULT WEAPONS AND RESPONDED TO QUESTIONS OF THE BOARD.**

**DISCUSSION OF R-2 (McCOY) AND R-3 (BAUMAN/ANDERSON) ORDINANCES. FRED NEAL AND BILL VANDEVER DISCUSSED EFFORTS MADE TOWARDS ATTAINING MUNICIPAL UNIFORMITY IN IMPLEMENTATION OF KATZ BILL AND BACKGROUND CHECK FEES.**

*COMMISSIONER BAUMAN SUGGESTED THAT BOARD CONSIDER R-3 FIRST ON THURSDAY AND IF UNABLE TO OBTAIN THREE VOTES, THEN CONSIDER R-2.*

*R-4 CONTAINS EMERGENCY ADOPTION CLAUSE AND WILL BE CONSIDERED FOR POSSIBLE ADOPTION ON THURSDAY.*

*CITIZEN INVOLVEMENT COMMITTEE DIRECTOR JOHN LEGRY GAVE UPDATE ON PREPARATION OF QUESTIONNAIRE BEING SENT OUT TO ASSIST WITH LONG RANGE PLANNING FOR SERVICES WITHIN MULTNOMAH COUNTY (RESOLUTION A). SURVEY RESULTS SHOULD BE AVAILABLE FOR BOARD REVIEW IN APRIL.*

*DISCUSSION ON NEED FOR LANGUAGE CLARIFICATION OF R 9 PRIOR TO THURSDAY.*

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Wednesday, March 7, 1990 - 8:00 PM  
Fairview City Hall  
300 Harrison Street, Fairview, Oregon

**MULTNOMAH COUNTY/CITY OF FAIRVIEW JOINT MEETING**

AGENDA

1. Gun Regulations
2. East County Needs
3. Urban Services

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Thursday, March 8, 1990 - 8:30 AM  
Multnomah County Courthouse, Room 602

**EXECUTIVE SESSION**

Executive Session Regarding Real Property Transactions [Allowed Under ORS 192.660(1)(e)]

**EXECUTIVE SESSION HELD. NO DECISIONS  
MADE.**

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Thursday, March 8, 1990, - 9:00 AM  
Multnomah County Courthouse, Room 602

**FORMAL AGENDA**

*Chair Gladys McCoy convened the meeting at 9:15 a.m., with Vice-Chair Gretchen Kafoury, Commissioners Pauline Anderson, Rick Bauman and Sharron Kelley present.*

**CHAIR McCOY ADVISED THE TESTIMONY ON THE FIREARM ORDINANCES WOULD BE LIMITED TO A TOTAL OF ONE HOUR, AND SPOKE TO THE ISSUES ADDRESSED IN THE McCOY PROPOSED ORDINANCE (R-2) AND THE BAUMAN/ANDERSON ORDINANCE (R-3).**

**ORDINANCES NON DEPARTMENTAL**

- R-3 First Reading An Ordinance Prohibiting Possession of a Loaded Firearm and Discharge of a Firearm in a Public Place, Regulating Possession of Assault Weapons in Public Places, Establishing a Firearms Safety Training Course, and Imposing Fees

**ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER BAUMAN MOVED AND COMMISSIONER ANDERSON SECONDED, APPROVAL OF FIRST READING AND THAT THE SECOND READING BE HELD AT 9:30 AM ON THURSDAY, MARCH 22, 1990. DR. ELLIOT WEINER TESTIFIED IN SUPPORT, STATING HE IS WILLING TO SEE A RESTRICTION ON FIREARMS FOR THE GREATER GOOD. AUGIE ENRIQUEZ TESTIFIED IN OPPOSITION, STATING IT CONTAINS CONSTITUTIONAL VIOLATIONS AND SPECIFIC FLAWS. MR. ENRIQUEZ SUBMITTED A WRITTEN STATEMENT AND VIDEO CASSETTE OF PREVIOUS HEARINGS AND ASKED THE AUDIENCE TO JOIN HIM IN WALKING OUT OF THE HEARING AND ATTENDING A POLITICAL RALLY IN THE PARK**

ACROSS THE STREET. GERALDINE NEWHALL TESTIFIED IN SUPPORT AND CONGRATULATED THE BOARD FOR ADDRESSING THE ISSUE. IRVING OTT TESTIFIED IN OPPOSITION, ADVISING GUNS SHOULD BE TAKEN AWAY FROM CRIMINALS, NOT LAW ABIDING CITIZENS. DAVID DeMARKEY TESTIFIED IN SUPPORT, ADVISING HE SUPPORTS THE BOARD'S VISION, CITING THE SUCCESS OF CALIFORNIA'S GUN REGULATIONS. STEPHEN DONNELL TESTIFIED IN OPPOSITION, ADVISING IT IS UNENFORCEABLE AND THAT WE NEED TO ENFORCE CURRENT LAWS, NOT CREATE NEW ONES. DANNA SCHAEFFER TESTIFIED IN SUPPORT, AND ADVISED SHE LIKES THE IDEA OF MULTNOMAH COUNTY BEING FIRST WITH A GUN CONTROL ORDINANCE. LEO MEYSING TESTIFIED IN OPPOSITION, ADVISING THE BOARD IS OPPRESSING THE CITIZENS OF MULTNOMAH COUNTY WITH TOO MANY LAWS WHICH CREATES CONTEMPT FOR THE LAW. MARC GOLDBERG TESTIFIED IN SUPPORT, THANKED COMMISSIONERS BAUMAN AND ANDERSON FOR SPONSORING IT AND COMMISSIONER KAFOURY FOR SUPPORTING IT, AND ASKED COMMISSIONERS KELLEY AND McCOY TO ALSO SUPPORT IT. HAROLD BANGS TESTIFIED IN OPPOSITION, ADVISING THE JUSTICE SYSTEM IS A FARCE AND CRIMINALS ARE NOT OBEYING PRESENT LAWS. NANCY WHITAKER TESTIFIED IN SUPPORT AND ADVISED THE BOARD OF HER PERSONAL EXPERIENCE AS THE VICTIM OF A SHOOTING WITH AN AUTOMATIC WEAPON. JOHN NICHOLS TESTIFIED IN OPPOSITION, STATING THE KATZ BILL IS SUFFICIENT. TOM CROPPER TESTIFIED IN SUPPORT, ADVISING HE FAVORS AN INDIVIDUAL'S RIGHT TO DEFEND HIMSELF, BUT NOT TO BEAR ARMS. RICH COWGER TESTIFIED IN OPPOSITION. JULIE STERLING TESTIFIED IN SUPPORT. WARD STEVENS TESTIFIED IN OPPOSITION, ADVISING HE FEELS THE BOARD IS NOT LISTING TO THE MAJORITY OF ITS CITIZENS. JOHN SAEMANN

TESTIFIED IN SUPPORT, ADVISING HE SEES NOTHING WRONG WITH REGISTERING AND LICENSING A LETHAL WEAPON. JOHN BERGESON TESTIFIED IN OPPOSITION, ADVISING MORE PEOPLE WILL BE DISRESPECTFUL OF THE LAW. CHARENNDI VAN-SI TESTIFIED IN SUPPORT ON BEHALF OF THE SE ASIAN COMMUNITY. PETER BOUCHER TESTIFIED IN OPPOSITION, ADVISING GUN CONTROL IS JUST A BAND-AID SOLUTION. MARY ANN BUCHANAN TESTIFIED IN SUPPORT. JAMES CRAWFORD TESTIFIED IN OPPOSITION, ADVISING GUN CONTROL LAWS DO NOT RESTRICT CRIME. JOHN STAPP TESTIFIED IN SUPPORT, ADVISING HE APPRECIATES THE OPPORTUNITY FOR DEBATE ON THE ISSUE. CHARLES OAKES TESTIFIED IN OPPOSITION, AND EXPRESSED CONCERN WITH A CITIZEN'S ABILITY TO PROTECT HIMSELF WHEN HIS WEAPON IS APART AND UNLOADED IN HIS TRUNK. DOLORES FOGLIO TESTIFIED IN SUPPORT ON BEHALF OF THE OREGON EMERGENCY NURSES ASSOCIATION. MARCEL BENDSHADLER TESTIFIED IN OPPOSITION, ADVISING ASSAULT WEAPONS ARE ALREADY ADDRESSED UNDER FEDERAL LAW. SUSAN GARRETT TESTIFIED IN SUPPORT, ADVISING IT IS IMPORTANT TO START REGULATING WEAPONS AT THE LOCAL LEVEL. LOUISE WEIDLICH TESTIFIED IN OPPOSITION, ADVISING SHE FEELS IT IS A BAND-AID APPROACH. RABBI EMANUEL ROSE TESTIFIED IN SUPPORT, ADVISING IT IS IMPORTANT THAT PARTICIPANTS IN SOCIETY REALIZE THEIR RESPONSIBILITIES. UPON MOTION OF COMMISSIONER BAUMAN, SECONDED BY COMMISSIONER KAFOURY, A TECHNICAL AMENDMENT TO PAGE 6 WAS APPROVED, WITH COMMISSIONERS ANDERSON, KAFOURY AND BAUMAN VOTING AYE, AND COMMISSIONERS KELLEY AND McCOY ABSTAINING. COMMISSIONER KELLEY PRESENTED HER POSITION STATEMENT IN OPPOSITION TO THE PROPOSED ORDINANCE. COMMISSIONERS

*ANDERSON, KAFOURY AND BAUMAN PRESENTED THEIR POSITION STATEMENTS IN SUPPORT OF THE PROPOSED ORDINANCE. CHAIR McCOY PRESENTED HER POSITION STATEMENT, ADVISING IF IT WERE A RESOLUTION SHE WOULD SUPPORT IT, BUT FEELS IT IS NOT GOOD PUBLIC POLICY TO ADOPT AN UNENFORCEABLE ORDINANCE. FIRST READING APPROVED, AS AMENDED, WITH COMMISSIONERS ANDERSON, KAFOURY AND BAUMAN VOTING AYE, AND COMMISSIONERS KELLEY AND McCOY VOTING NO. SECOND READING, 9:30 AM, THURSDAY, MARCH 22, 1990.*

- R-2 First Reading an Ordinance Prohibiting Possession of a Loaded Firearm and Discharge of a Firearm in a Public Place, and Imposing Fees for Concealed Handgun Licenses and Background Security Checks Required by State Law

*NICK ALBRECHT TESTIFIED IN OPPOSITION, QUESTIONING THE STATISTICS GIVEN TODAY AND THANKING THE BOARD ON BEHALF OF THE HARD CORE CRIMINALS WHO WERE AFRAID OF ARMED CITIZENS. GREGORY HEIDEN TESTIFIED IN OPPOSITION, ADVISING IT IS WELL INTENTIONED BUT ILL CONCEIVED, UNCONSTITUTIONAL AND A GROSS MISCARRIAGE OF JUSTICE, AND WILL NOT SOLVE THE PROBLEM. UPON MOTION OF COMMISSIONER KAFOURY, SECONDED BY COMMISSIONER ANDERSON, R-2 WAS UNANIMOUSLY TABLED.*

#### DEPARTMENT OF JUSTICE SERVICES

- C-1 Liquor License Applications Submitted by Sheriff's Office with Recommendation that Same be Approved as Follows:  
a) Package Store Renewal for the Jackpot Food Mart, 28210 SE Orient Drive, Gresham

*UPON MOTION OF COMMISSIONER KAFOURY, SECONDED BY COMMISSIONER ANDERSON, C-1 WAS UNANIMOUSLY APPROVED.*

## ORDINANCES DEPARTMENT OF ENVIRONMENTAL SERVICES

- R-4 First Reading an Ordinance in the Matter of Amending the Multnomah County Code Chapter 5.10 by Adding New Provisions Setting Fees for Services of the County Surveyor as Authorized by State Statutes

*ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER ANDERSON MOVED AND COMMISSIONER KAFOURY SECONDED, APPROVAL OF FIRST READING AND ADOPTION. CHAIR McCOY EXPLANATION OF REASON FOR EMERGENCY CLAUSE. NO ONE WISHED TO TESTIFY. ORDINANCE 645 UNANIMOUSLY APPROVED, WITH EMERGENCY CLAUSE.*

## DEPARTMENT OF HUMAN SERVICES

- R-5 In the Matter of Ratification of an Intergovernmental Agreement Change Order #1 with Oregon Health Sciences University and the Mental and Emotional Disabilities Program Office, to Decrease Community Support Services Four (4) Slots Totaling (\$4,762) Due to Medicaid Funds Exceeding Agreement Limitations in FY 1988/89

*UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER KAFOURY, R-5 WAS UNANIMOUSLY APPROVED.*

## DEPARTMENT OF JUSTICE SERVICES

- R-6 Proclamation in the Matter of Proclaiming the Week of April 22 28, 1990 as OREGON CRIME VICTIMS RIGHTS WEEK in Multnomah County

*UPON MOTION OF COMMISSIONER KAFOURY, SECONDED BY COMMISSIONER KELLEY, PROCLAMATION 90-38 WAS UNANIMOUSLY APPROVED.*

## NON DEPARTMENTAL

- R-7 In the Matter of Ratification of an Intergovernmental Agreement with Oregon Department of Transportation (ODOT) Highway Division to Provide Inmate Worker Crew on Individual Project Basis Upon the

Availability of Inmates, for the Purpose of Maintenance and Other Duties on ODOT Property in Multnomah County

***UPON MOTION OF COMMISSIONER KAFOURY,  
SECONDED BY COMMISSIONER ANDERSON, R-7  
WAS UNANIMOUSLY APPROVED.***

- R-8 Budget Modification Non #6 to Transfer \$4,274 in Salary Savings from the Chair's Office to Citizen Involvement. Increases to Full Time the Legislative/Administrative Secretary from February 1 through June 30, 1990

***UPON MOTION OF COMMISSIONER KAFOURY,  
SECONDED BY COMMISSIONER ANDERSON, R-8  
WAS UNANIMOUSLY APPROVED.***

- R-9 Resolution in the Matter of Considering Approval of Event Sponsors Charging Admission for Use of the Public Right of Way for a Special Event

***FOLLOWING EXPLANATION AND  
CLARIFICATION AND UPON MOTION OF  
COMMISSIONER ANDERSON, SECONDED BY  
COMMISSIONER KAFOURY, SUBSTITUTE  
RESOLUTION 90-39 WAS UNANIMOUSLY  
APPROVED.***

*There being no further business, the meeting was adjourned at 11:15  
a.m.*

OFFICE OF THE BOARD CLERK  
FOR MULTNOMAH COUNTY, OREGON

***Deborah L. Bogstad***

Deborah L. Bogstad