

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

Thursday, August 12, 2004 - 9:00 AM

Multnomah Building, First Floor Commissioners Conference Room 112
501 SE Hawthorne Boulevard, Portland

EXECUTIVE SESSION

Chair Diane Linn convened the meeting at 9:04 a.m., with Vice-Chair Serena Cruz and Commissioners Lisa Naito, Lonnie Roberts and Maria Rojo de Steffey present.

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

EXECUTIVE SESSION HELD.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:25 a.m.

Thursday, August 12, 2004 - 9:30 AM

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

REGULAR MEETING

Chair Diane Linn convened the meeting at 9:30 a.m., with Vice-Chair Serena Cruz and Commissioners Lisa Naito, Lonnie Roberts and Maria Rojo de Steffey present.

CONSENT CALENDAR

UPON MOTION OF COMMISSIONER CRUZ, SECONDED BY COMMISSIONER ROBERTS, THE CONSENT CALENDAR (ITEMS C-1 THROUGH C-7) WAS UNANIMOUSLY APPROVED.

NON-DEPARTMENTAL

- C-1 Appointment of Claudia Burnett and Reappointment of Mary Maletis and Julie Vigeland to the REGIONAL ARTS AND CULTURE COUNCIL

DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES

- C-2 RESOLUTION Authorizing Private Sale of Certain Tax Foreclosed Property to the GRESHAM-BARLOW SCHOOL DISTRICT No. 10 JT

RESOLUTION 04-110.

- C-3 RESOLUTION Setting Hearing Date of August 26, 2004, for Consideration of Proposed Transfer of Tax Foreclosed Properties to Local Governments for Non-Housing Purposes and Authorizing Publication of Notice

RESOLUTION 04-111.

- C-4 RESOLUTION Authorizing Private Sale of Certain Tax Foreclosed Property to KEVIN A. AND CATHY A. MURPHY, Husband and Wife

RESOLUTION 04-112.

- C-5 Government Non-Expenditure Contract (190 Agreement) 0405013 with the City of Portland for Management of the Urban Area Security Initiative Grant

- C-6 Amendment 6 to Government Expenditure Contract (190 Agreement) 4600001503 with the City of Portland, Providing Maintenance of County Roads in Unincorporated Western Multnomah County

- C-7 Budget Modification BCS-02 Appropriating Funds from the Office of the Assistant Attorney General, Office of Justice Programs for the State Domestic Preparedness Equipment Program Grant (SHSP 04) in the Amount of \$1,025,145

REGULAR AGENDA **PUBLIC COMMENT**

Public comment was made and received for the record.

NON-DEPARTMENTAL

R-1 RESOLUTION to Proceed with Phase II of the Transportation Study to Determine the Financial Impacts on All Jurisdictions Based on the Phase I Recommendations. Presented by Commissioner Maria Rojo de Steffey.

COMMISSIONER ROJO MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF R-1. COMMISSIONER ROJO EXPLANATION, ADVISING THAT SHE HAS INVITED THE MAYORS TO COME TODAY; THAT NO DECISION HAS BEEN MADE BY THE COUNTY BOARD; AND THAT SHE WANTS TO SETTLE THE ROAD ISSUE ONCE AND FOR ALL. GRESHAM MAYOR CHARLES BECKER TESTIFIED IN SUPPORT OF A RESOLUTION ON THIS ISSUE, ADVISING GRESHAM IS GROWING RAPIDLY AND NEEDS A SYSTEM-WIDE PROCESS. WOOD VILLAGE MAYOR DAVID FULLER TESTIMONY IN SUPPORT OF MAINTAINING TRANSPORTATION AS THEY ARE, ADVISING WOOD VILLAGE GETS GOOD SERVICE FROM THE COUNTY. TROUTDALE MAYOR PAUL THALHOFER TESTIMONY EXPRESSING CONCERN THAT GRESHAM WILL GET JURISDICTION OVER THE EAST COUNTY ROADS AND THE ROAD REPAIR FUNDS AND THAT THE COUNTY TRANSPORTATION DIVISION WILL CLOSE DOWN, ADVISING TROUTDALE APPRECIATES THE ROAD MAINTENANCE SERVICES PROVIDED BY THE COUNTY AND WANTS THEM TO CONTINUE. AFSCME COUNCIL 75 REPRESENTATIVE BRYAN LALLY WITH KEN ALLEN TESTIMONY IN OPPOSITION TO ROADS STUDY TRANSPORTATION RESOLUTION, AND EXPRESSED CONCERN OVER LOSS OF COUNTY TRANSPORTATION POSITIONS, SUGGESTING THAT THE \$35,000 COST OF THE FEASIBILITY STUDY WOULD BE BETTER SPENT ON COUNTY STAFF. IN RESPONSE TO A QUESTION OF COMMISSIONER CRUZ, MAYOR BECKER REITERATED GRESHAM'S POSITION, ADVISING THEY ARE NOT INTERESTED IN TAKING COUNTY ROAD DEPARTMENT STAFF. COMMISSIONER ROBERTS THANKED MAYORS BECKER, FULLER AND THALHOFER TO COMING AND ADVISED THAT HE IS NOT INTERESTED IN PAYING \$35,000 FOR ANOTHER STUDY; THAT ROAD STUDIES HAVE BEEN DONE SINCE 1984 AND HE WILL NOT SUPPORT THE RESOLUTION. COMMISSIONER NAITO THANKED COMMISSIONER ROJO FOR HER WORK ON THIS ISSUE AND ADVISED SHE WILL NOT SUPPORT THE RESOLUTION. COMMISSIONER CRUZ AND CHAIR LINN COMMENTS IN APPRECIATION OF COUNTY TRANSPORTATION STAFF AND IN SUPPORT OF THE RESOLUTION AND FEASIBILITY STUDY. COMMISSIONER ROJO ADVISED THAT THIS ALSO AFFECTS UNINCORPORATED WEST SIDE AND THE COUNTY BRIDGES, NOT JUST EAST COUNTY. COMMISSIONER CRUZ AND CHAIR LINN EXPRESSED THEIR APPRECIATION FOR THE WORK OF COMMISSIONER ROJO. RESOLUTION 04-113 ADOPTED, WITH COMMISSIONERS CRUZ, ROJO AND LINN VOTING AYE AND COMMISSIONERS ROBERTS AND NAITO VOTING NO.

R-2 RESOLUTION Establishing Fees and Charges for Chapter 7, Business and Community Services, of the Multnomah County Code and Repealing Resolution No. 03-099

COMMISSIONER CRUZ MOVED AND COMMISSIONER ROJO SECONDED, APPROVAL OF R-2. FOLLOWING STAFF REQUEST FOR AN AMENDMENT AND UPON MOTION OF COMMISSIONER CRUZ, SECONDED BY COMMISSIONER NAITO THE AMENDMENT CHANGING THE RESOLUTION EFFECTIVE DATE TO SEPTEMBER 3, 2004 WAS UNANIMOUSLY APPROVED. DENISE KLEIM EXPLANATION OF AGENDA ITEMS R-2 AND R-3. RESOLUTION 04-114 UNANIMOUSLY ADOPTED, AS AMENDED.

R-3 RESOLUTION Establishing Fees and Charges for Chapter 29, Building Regulations, of the Multnomah County Code and Repealing Resolution No. 03-028

COMMISSIONER CRUZ MOVED AND COMMISSIONER ROJO SECONDED, APPROVAL OF RESOLUTION WITH AN AMENDED EFFECTIVE DATE OF SEPTEMBER 3, 2004. DENISE KLEIM EXPLANATION. RESOLUTION 04-115 UNANIMOUSLY ADOPTED, AS AMENDED.

R-4 Authorizing Settlement of Multnomah County v. Marcus, Multnomah County Circuit Court Case No. 0304-04595

COMMISSIONER CRUZ MOVED AND COMMISSIONER ROJO SECONDED, APPROVAL OF R-4. MATT RYAN EXPLANATION. AUTHORIZATION UNANIMOUSLY APPROVED.

DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES

R-5 RESOLUTION Establishing a Portion of NE/SE 257th Drive as County Road No. 4931

COMMISSIONER ROJO MOVED AND COMMISSIONER ROBERTS SECONDED, APPROVAL OF R-5. ROBERT MAESTRE EXPLANATION OF AGENDA ITEMS 4-5 AND R-6. RESOLUTION 04-116 UNANIMOUSLY ADOPTED.

R-6 RESOLUTION Establishing a Portion of SE Hogan Road as County Road No. 4974

UPON MOTION OF COMMISSIONER ROJO, SECONDED BY COMMISSIONER CRUZ, RESOLUTION 04-117 WAS UNANIMOUSLY ADOPTED.

R-7 Approval of Mount Hood Coordinating Plan [Regional Volcanic Event Response Plan]

COMMISSIONER ROJO MOVED AND COMMISSIONER ROBERTS SECONDED, APPROVAL OF R-7. DOUG MCGILLIVRAY EXPLANATION AND RESPONSE TO A QUESTION OF CHAIR LINN. COMMISSIONER NAITO EXPRESSED HER APPRECIATION OF THE EFFORTS OF STAFF. PLAN UNANIMOUSLY APPROVED.

R-8 First Reading of a Proposed ORDINANCE Establishing Multnomah County Code Chapter 12, Business Income Tax from MCC §§ 11.500 et seq., Updating and Clarifying Definitions, and Declaring an Emergency

ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER ROBERTS MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF FIRST READING. DAVE BOYER EXPLANATION. NO ONE WISHED TO TESTIFY. FIRST READING UNANIMOUSLY APPROVED. SECOND READING THURSDAY, AUGUST 19, 2004.

ADJOURNMENT

There being no further business, the regular meeting was adjourned at 10:30 a.m.

Thursday, August 12, 2004 - 11:00 AM

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

BOARD BRIEFING

Chair Diane Linn convened the meeting at 10:46 a.m., with Vice-Chair Serena Cruz and Commissioners Lisa Naito, Lonnie Roberts and Maria Rojo de Steffey present.

B-1 Briefing and Board Discussion and Input on the Library Director's Recommendations Regarding the Library's Internet Access Policies. Presented by Molly Raphael, Director of Libraries, and Cindy Gibbon, Senior Library Manager.

MOLLY RAPHAEL, CINDY GIBBON AND CITIZEN LIBRARY ADVISORY BOARD MEMBER AND CHAIR OF THE LIBRARY ADVISORY BOARD'S ACCESS POLICY ADVISORY COMMITTEE JOE ARELLANO PRESENTATIONS AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION ON ISSUES INCLUDING HOW INPUT WAS OBTAINED; PROPOSAL REGARDING FILTERED INTERNET ACCESS ON TERMINALS IN CHILDREN'S AREAS FOR LIBRARY PATRONS AGED 12 AND UNDER; PROPOSAL REGARDING THE CHOICE OF USING FILTERED OR UNFILTERED INTERNET ACCESS ON TERMINALS FOR LIBRARY PATRONS AGED 13 TO 16 UNLESS THE PATRON'S PARENT MAKES OTHER ARRANGEMENTS;

AND PROPOSAL REGARDING THE CHOICE OF USING FILTERED OR UNFILTERED INTERNET ACCESS ON TERMINALS FOR LIBRARY PATRONS AGED 17 TO ADULT.

MS. RAPHAEL AND MS. GIBBON RESPONSE TO QUESTION OF COMMISSIONER ROBERTS REGARDING HOW THEY CAME UP WITH AGE 17. IN RESPONSE TO A QUESTION OF COMMISSIONER CRUZ, MS. RAPHAEL ADVISED THAT A HEARING TO SOLICIT PUBLIC TESTIMONY ON THIS ISSUE IS SCHEDULED FOR 6:00 PM, TUESDAY, AUGUST 24, 2004, AND THAT THE BOARD IS SCHEDULED TO VOTE ON A PROPOSED RESOLUTION ADOPTING LIBRARY INTERNET ACCESS POLICIES AT 9:30 AM, THURSDAY, SEPTEMBER 9, 2004.

COMMISSIONERS CRUZ, ROJO, NAITO AND CHAIR LINN COMMENTED IN APPRECIATION OF THE WORK OF MS. RAPHAEL, LIBRARY STAFF, LIBRARY ADVISORY BOARD AND ACCESS POLICY ADVISORY COMMITTEE MEMBERS FOR COMING UP WITH A CREATIVE APPROACH AND PROPOSAL THAT INCREASES OVERSIGHT AND BALANCES THE NEEDS OF CHILDREN AND PARENTS AND ADVISED THAT THEY LOOK FORWARD TO HEARING FROM CITIZENS AND VOTING ON THE ISSUE.

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:28 a.m.

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