

## **ANNOTATED MINUTES**

Thursday, April 4, 1996 - 9:30 AM  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland

### **REGULAR MEETING**

*Chair Beverly Stein convened the meeting at 9:39 a.m., with Commissioners Sharron Kelley and Gary Hansen present, Commissioner Tanya Collier excused, and Vice-Chair Dan Saltzman arriving at 9:40 a.m.*

### **CONSENT CALENDAR**

***UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, CONSENT CALENDAR ITEMS C-1 THROUGH C-5 AND C-7 THROUGH C-10) WERE UNANIMOUSLY APPROVED.***

### **NON-DEPARTMENTAL**

- C-1      Appointments of Jane Tomkin, Vicki Sands and Richard Blatt to the EMERGENCY MEDICAL SERVICES MEDICAL ADVISORY BOARD

### **SHERIFF'S OFFICE**

- C-2      Intergovernmental Agreement 800027 with Metro, to Provide a Supervised Inmate Work Crew to Perform General Labor Such as Ground Maintenance, Yard and Nursery Work, Light Carpentry, Painting, Et Cetera
- C-3      Intergovernmental Agreement 800726 with the U.S. National Forest Service, to Enforce Federal/State Laws and Regulations within Specific Sections of the Columbia Gorge Ranger District and the Columbia River Gorge National Scenic Area

### **DEPARTMENT OF JUVENILE JUSTICE SERVICES**

- C-4      Intergovernmental Revenue Agreement 700256 with Portland School District No. 1, Providing Funding for a Juvenile Court Counselor Position

to Work On-Site Assisting Court Involved Students in the Project PAX Program

- C-5 Budget Modification DJJS 7 Adding \$31,474 Portland School District, Funding for a Juvenile Court Counselor Position to Work On-Site Assisting Court Involved Students in the Project PAX Program

#### **DEPARTMENT OF COMMUNITY CORRECTIONS**

- C-7 Amendment 1 to Intergovernmental Revenue Agreement 900026/97 with the City of Portland, Providing Funds for Trained Crew Leaders and Alternative Community Service Crews to Work in Areas Maintained by the Bureau of Parks and Recreation

#### **DEPARTMENT OF ENVIRONMENTAL SERVICES**

- C-8 ORDER Authorizing Execution of Contract 15810 for the Sale of Certain Tax Acquired Real Property to Mike Fahey and Denny Reynolds

##### ***ORDER 96-56.***

- C-9 ORDER Authorizing Execution of Deed D961295 Upon Complete Performance of a Contract to Stephen A. Houze and Susan M. Svetky

##### ***ORDER 96-57.***

- C-10 ORDER Authorizing Execution of Deed D961298 Upon Complete Performance of a Contract to Kenneth L. Jessie

##### ***ORDER 96-58.***

#### **REGULAR AGENDA**

#### **DEPARTMENT OF AGING SERVICES**

- C-6 Intergovernmental Agreement 400236 with the City of Portland, Bureau of Neighborhood Associations, Portland/Multnomah Commission on Aging, Providing Funds for General Advocacy Services on Behalf of Elders Living in Multnomah County and Its Cities

***AT THE REQUEST OF CHAIR STEIN AND UPON  
MOTION OF COMMISSIONER KELLEY, SECONDED***

**BY COMMISSIONER HANSEN, C-6 WAS UNANIMOUSLY POSTPONED INDEFINITELY.**

**CHAIR STEIN INFORMED BOARD AND AUDIENCE OF THE REARRANGED ORDER FOR TODAY'S AGENDA.**

Vice-Chair Dan Saltzman arrived at 9:40 a.m.

**NON-DEPARTMENTAL**

R-2 PROCLAMATION Proclaiming April, 1996, EARTHQUAKE PREPAREDNESS MONTH in Multnomah County

**COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF R-2. MIKE GILSDORF EXPLANATION. PROCLAMATION READ. COMMISSIONER KELLEY ACKNOWLEDGED AND EXPRESSED APPRECIATION FOR THE LONG HOURS MR. GILSDORF EXPENDED DUE TO THE RECENT FLOOD SITUATION. PROCLAMATION 96-59 UNANIMOUSLY APPROVED.**

**DEPARTMENT OF SUPPORT SERVICES**

R-3 Ratification of Memorandum of Agreement Between Multnomah County, Multnomah County Sheriff, and AFSCME Local 88 Concerning the Transition of Certain Duties Performed by Civil Deputies

**COMMISSIONER HANSEN MOVED AND COMMISSIONER SALTZMAN SECONDED, APPROVAL OF R-3. SHERIFF DAN NOELLE EXPLANATION AND COMMENTS IN SUPPORT. AGREEMENT UNANIMOUSLY APPROVED.**

**SHERIFF'S OFFICE**

R-10 Budget Modification MCSO 10 Transferring \$67,129 from General Fund Contingency to Fund Operation of the Gresham Temporary Holding Facility

**COMMISSIONER SALTZMAN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL**

**OF R-10. SHERIFF NOELLE EXPLANATION AND COMMENTS IN SUPPORT. GRESHAM POLICE CHIEF ART KNORI, TROUTDALE MAYOR PAUL THALHOFER, TROUTDALE COUNCILOR KAREN BURGER-KIMBER AND TROUTDALE POLICE SERGEANT PAT NEWTON TESTIMONY IN SUPPORT. BUDGET MODIFICATION UNANIMOUSLY APPROVED.**

**DEPARTMENT OF ENVIRONMENTAL SERVICES**

R-7      CS 5-95      DECISION Following March 26, 1996 De Novo Hearing Regarding Appeal of Hearings Officer Decision APPROVING, With Conditions, Community Service Use to Construct New Facilities at the RIVERDALE SCHOOL, 11733 SW BREYMAN AVENUE, PORTLAND

**CHAIR STEIN AND PLANNER BARRY MANNING PRESENTATION. APPLICANT'S ATTORNEY STEVE ABEL EXPLANATION AND TESTIMONY IN SUPPORT OF RECONFIGURED PROPOSAL PLAN AND REQUEST FOR EXCEPTION TO PARKING STANDARDS, AND RESPONSE TO BOARD QUESTIONS. KATHI NOLES TESTIMONY IN OPPOSITION TO VARIANCE APPROVAL DUE TO SAFETY HAZARDS DOCUMENTED IN A TRAFFIC STUDY COMMISSIONED BY THE SCHOOL DISTRICT, REPORTS BY COUNTY STAFF AND EXTENSIVE PUBLIC TESTIMONY AT THE PLANNING COMMISSION HEARING. MS. NOLES EXPRESSED CONCERN WITH LACK OF PUBLIC INPUT IN THE DESIGN REVIEW PROCESS AND WITH THE SCHOOL DISTRICT'S HISTORY OF NOT COMPLYING WITH CONDITIONS IMPOSED IN 1991, AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION. COUNSEL SANDRA DUFFY, CHAIR STEIN AND MR. ABEL EXPLANATION IN RESPONSE TO QUESTIONS OF BOARD AND MS. NOLES. AT THE REQUEST OF COMMISSIONER SALTZMAN, SHERIFF NOELLE TO BE ASKED IF ADDITIONAL PARKING PATROL COULD BE PROVIDED DURING THE MORNING AND AFTERNOON HOURS. IN RESPONSE TO A SUGGESTION OF COMMISSIONER KELLEY, MR.**



ABEL ADVISED THE SCHOOL WILL PROVIDE NOTIFICATION OF THE APPROPRIATE PARKING AREAS. MR. ABEL PRESENTED A PLAN SHOWING WHAT WOULD HAPPEN IF THE BOARD REVOKED THE PARKING VARIANCE, IN WHICH THE EXISTING TENNIS COURTS WOULD HAVE TO BE REMOVED IN ORDER TO ACCOMMODATE 68 PARKING SPACES. AT THE REQUEST OF CHAIR STEIN, MS. DUFFY FRAMED THE APPROPRIATE MOTION TO REVISE THE HEARINGS OFFICER DECISION. COMMISSIONER KELLEY MOVED AND COMMISSIONER SALTZMAN SECONDED, TO APPROVE THE HEARINGS OFFICER DECISION, MODIFYING CONDITION 4 AS FOLLOWS: "THE APPLICANT SHALL DEVELOP AND SUBMIT A PARKING AND CIRCULATION PLAN THAT COMPLIES WITH COUNTY CODE AND REDUCES HAZARDOUS CONDITIONS CAUSED BY VEHICULAR/PEDESTRIAN CONFLICTS, AS PART OF THE DESIGN REVIEW PROCESS. THE APPLICANTS SHALL BE GRANTED A 30% EXCEPTION TO THE PARKING STANDARDS OF MCC 11.15.6142 SUBJECT TO THE FOLLOWING CONDITIONS: (1) PARKING SHALL BE AS SHOWN ON TENTATIVE PLAN, OR AS MODIFIED BY COUNTY STAFF IN DESIGN REVIEW. A MINIMUM OF 48 SPACES SHALL BE PROVIDED ON-SITE. (2) ON-SITE PARKING ON BREYMAN ADJACENT TO PLAY FIELDS SHALL BE PAVED AND IMPROVED TO COUNTY TRANSPORTATION DIVISION STANDARDS. AT THE DISCRETION OF THE COUNTY ENGINEER, THE REQUIREMENT FOR PAVING MAY BE MODIFIED AS DETERMINED APPROPRIATE DURING DESIGN REVIEW. (3) RECONFIGURE THE INTERSECTION OF MILITARY AT BREYMAN TO CREATE A SCHOOL BUS "PULL-OUT" AND ASSOCIATED STREET AND PEDESTRIAN IMPROVEMENTS. (4) ALL REQUIRED IMPROVEMENTS ARE THE RESPONSIBILITY OF THE RIVERDALE SCHOOL DISTRICT AND SUBJECT TO THE APPROVAL OF THE COUNTY. THE COUNTY MAY MODIFY THESE REQUIREMENTS OR THE PLAN AS NECESSARY TO DECREASE HAZARDOUS CONDITIONS DURING

**THE DESIGN REVIEW PROCESS. (5) THE SCHOOL SHALL NOTIFY NEIGHBORS AND PARENTS OF PARKING AND DROP OFF AREAS." MS. DUFFY RESPONSE TO QUESTION OF COMMISSIONER SALTZMAN REGARDING ABILITY OF STAFF TO RESPOND TO COMPLIANCE COMPLAINTS AND REVOCATION IF PARKING ENDS UP BEING A PROBLEM. HEARINGS OFFICER DECISION UNANIMOUSLY APPROVED, AS MODIFIED.**

R-8

First Reading of an ORDINANCE Amending Multnomah County Animal Control Code 8.10.005 et. seq.

**ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF FIRST READING. DAVE FLAGLER ACKNOWLEDGED THE ASSISTANCE OF COMMISSIONER COLLIER AND HER STAFF, COUNSEL MATT RYAN AND THE ANIMAL CONTROL ADVISORY COMMITTEE IN PREPARING THE ORDINANCE REVISION. MR. FLAGLER, EXPLANATION AND RESPONSE TO BOARD QUESTIONS. KAREN BURGER-KIMBER AND RICH GOHEEN TESTIMONY IN SUPPORT. LUCINDA ROBERTI TESTIMONY IN OPPOSITION TO DOG LICENSE FEES FOR SENIOR CITIZENS. MR. FLAGLER EXPLANATION TO BOARD QUESTIONS IN RESPONSE TO CONCERNS RAISED BY MRS. ROBERTI. MR. FLAGLER TO EXPLAIN THE CITATION APPEAL PROCESS TO MRS. ROBERTI. FIRST READING UNANIMOUSLY APPROVED. SECOND READING THURSDAY, APRIL 11, 1996.**

#### **PUBLIC COMMENT**

R-1

Opportunity for Public Comment on Non-Agenda Matters. Testimony Limited to Three Minutes Per Person.

**SHERRY DAHLEN AND CHRIS HILLMER COMMENTED AND PRESENTED WRITTEN TESTIMONY URGING RELOCATION OF THE PAROLE OFFICE IN ST. JOHNS. CHAIR STEIN UPDATED THE BOARD REGARDING THE ST.**

**JOHNS COMMUNITY MEETING RECENTLY HELD TO FORMULATE A GOOD NEIGHBOR POLICY, ADVISING AN INFORMATIONAL HANDOUT WILL BE DELIVERED TO ALL THE NEIGHBORS AROUND THE ST. JOHNS OFFICE. CHAIR STEIN ADVISED THAT TREES AND BUSHES HAVE BEEN PLANTED AND THE PARKING LOT COMPLETED, AND THAT YESTERDAY SHE VISITED THE OFFICE AND SPOKE WITH STAFF AND THEY ARE VERY EXCITED ABOUT BEING THERE AND WORKING WITH THE COMMUNITY. CHAIR STEIN ADDED THAT A NUMBER OF COMMUNITY RESIDENTS CAME BY WITH COOKIES TO SHOW THEIR SUPPORT AND WELCOME STAFF TO NEIGHBORHOOD.**

#### **DEPARTMENT OF SUPPORT SERVICES**

- R-4 Supplemental Budget Consisting of Budget Modification DSS 2, Which Recognizes \$46,800 Additional Reimbursement from the State Fire Marshal's Office for Hazardous Materials Spill Responses

**COMMISSIONER HANSEN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-4. MIKE GILSDORF EXPLANATION. BUDGET MODIFICATION UNANIMOUSLY APPROVED.**

- R-5 First Reading of an ORDINANCE Amending MCC Chapter 5.40 (Car Rental Tax) in Order to Clarify the Responsibilities of Commercial Enterprises for Collecting and Remitting this Tax, and to Strengthen and Clarify the County's Ability to Administer it

**ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER HANSEN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF FIRST READING. HARRY MORTON EXPLANATION. NO ONE WISHED TO TESTIFY. FIRST READING UNANIMOUSLY APPROVED. SECOND READING THURSDAY, APRIL 11, 1996.**

#### **DEPARTMENT OF ENVIRONMENTAL SERVICES**



R-6

RESOLUTION Certifying an Estimate of Expenditures for the Fiscal Year 1996-97 Property Tax Program in Accordance with House Bill 2338

**COMMISSIONER HANSEN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-6. JANICE DRUIAN EXPLANATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION. CHAIR STEIN ADVISED SPECIFIC ISSUES CAN BE DISCUSSED MORE FULLY DURING THE BUDGET PROCESS. MS. DRUIAN RESPONDED TO QUESTION OF COMMISSIONER SALTZMAN REGARDING LACK OF QUALIFIED BOARD OF EQUALIZATION MEMBERS. AT THE REQUEST OF CHAIR STEIN AND UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, THE SUBSTITUTION OF REPLACEMENT EXHIBITS WAS UNANIMOUSLY APPROVED. RESOLUTION 96-60 UNANIMOUSLY APPROVED, AS AMENDED.**

#### **DEPARTMENT OF LIBRARY SERVICES**

R-9

Budget Modification DLS 5 Transferring \$24,400 from Library Books and Materials to Automation Services to Purchase an On-Line Serials Database to Provide Indexing, Abstracting and Full Text Magazine Articles

**COMMISSIONER HANSEN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-9. BECKY COBB EXPLANATION AND RESPONSE TO BOARD QUESTIONS. MS. COBB TO REPORT TO COMMISSIONER SALTZMAN WHETHER PLAYBOY IS PART OF THE ON-LINE SERIAL DATABASE. BUDGET MODIFICATION UNANIMOUSLY APPROVED.**

#### **PUBLIC CONTRACT REVIEW BOARD**

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

R-11

ORDER Exempting from the Competitive Bid Process for Contracting with a Construction Manager/General Contractor (CM/GC) for the Inverness Jail Complex Expansion Construction and Remodeling Project



**COMMISSIONER SALTZMAN MOVED AND  
COMMISSIONER KELLEY SECONDED, APPROVAL  
OF R-11. DAVE BOYER EXPLANATION. ORDER 96-  
61 UNANIMOUSLY APPROVED.**

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

*There being no further business, the meeting was adjourned at 11:03  
a.m.*

OFFICE OF THE BOARD CLERK  
FOR MULTNOMAH COUNTY, OREGON

  
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Deborah L. Bogstad