

# ANNOTATED MINUTES

Tuesday, August 22, 1995 - 1:00 PM  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland

## REGULAR MEETING

*Chair Beverly Stein convened the meeting at 1:00 p.m., with Vice-Chair Sharron Kelley, Commissioners Gary Hansen and Dan Saltzman present, and Commissioner Tanya Collier excused.*

### CONSENT CALENDAR

**UPON MOTION OF COMMISSIONER HANSEN,  
SECONDED BY COMMISSIONER KELLEY, THE  
CONSENT CALENDAR (ITEMS C-1 THROUGH C-12)  
WAS UNANIMOUSLY APPROVED.**

### NON-DEPARTMENTAL

- C-1 Appointments of Suzanne Bader and Johnnie Gage to the Multnomah County Community Action Agency

### DEPARTMENT OF COMMUNITY AND FAMILY SERVICES

- C-2 Approval of Revenue Agreement Contract #103386 between Multnomah County Department of Community and Family Services Community Action Program and the City of Portland Bureau of Housing and Community Development for Operations of the Weatherization/Sewer-On-Site Program in the Mid-County Sewer Project Area
- C-3 Approval of Revenue Agreement Contract #103396 between Multnomah County Department of Community and Family Services Community Action Program and the City of Portland Bureau of Housing and Community Development for Relocation Assistance for People Residing in Building to be Closed by the Bureau of Buildings
- C-4 Approval of Revenue Agreement Contract #103406 between Multnomah County Department of Community and Family Services Adult Mental Health Program

and the City of Portland Bureau of Housing for the Homeless Chronically Mentally Ill Program (Bridgeview Project)

- C-5 Approval of Revenue Agreement Contract #103416 between Multnomah County Department of Community and Family Services Community Action Program and the City of Portland Bureau of Housing and Community Development for Domestic Violence Services and Coordination
- C-6 Approval of Revenue Agreement Contract #103426 between Multnomah County Department of Community and Family Services Developmental Disabilities Program and Portland Public Schools Early Intervention/Early Childhood Special Education Program to Provide Services for Children in Multnomah County

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

- C-7 Approval of Agreement Amendment #1 to Contract #900395 between the City of Portland and Multnomah County to Provide Specialized Probation Supervision for Domestic Violence Offenders
- C-8 Approval of Agreement Amendment #3 to Contract #900374 between Multnomah County Department of Community Corrections and the State of Oregon Department of Corrections to Amend the Department of Corrections Plan which Represents Funding for Field Services, Services and Sanctions for 18 Months, Release Subsidy for 24 Months, and Specific Carryover from Unspent 1993-95 Monies for Purchase of IBM RISC 6000
- C-9 Budget Modification DCC #1 Requesting Authorization to Increase Budget by \$104,417 to Purchase IBM RISC 6000 System

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

- C-10 ORDER Authorizing Execution of Deed D961232 Upon Complete Performance of a Contract to William E. Ryan and Kathleen J. Ryan

***ORDER 95-184.***

- C-11 ORDER Authorizing Approval of Contract 15784 for the Sale of Certain Tax Foreclosed Real Property to Former Owners John J. Walters and Barbara L. Mendenhall

***ORDER 95-185.***

## **DEPARTMENT OF JUVENILE JUSTICE SERVICES**

- C-12 Approval of Revenue Agreement Contract 102906 Between Multnomah County Juvenile Justice Services and Washington County for the Use of Fourteen Bed Spaces in the Juvenile Justice Complex for Detention of Juveniles Referred Washington County Juvenile Justice System in Need of Secure Custody

## **REGULAR AGENDA**

## **PUBLIC COMMENT**

- R-1 Opportunity for Public Comment on Non-Agenda Matters. Testimony Limited to Three Minutes Per Person.

***NO ONE WISHED TO COMMENT.***

## **NON-DEPARTMENTAL**

- R-2 First Reading of a Proposed ORDINANCE Amending Ordinance No. 740 Relating to Benefits for Employees not Covered by Collective Bargaining Agreement

***ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF FIRST READING. CURTIS SMITH EXPLANATION. NO ONE WISHED TO TESTIFY. FIRST READING UNANIMOUSLY APPROVED. SECOND READING THURSDAY, AUGUST 31, 1995.***

## **DEPARTMENT OF HEALTH**

- R-3 First Reading of a Proposed ORDINANCE to Provide Fee Schedule Changes for Environmental Health Section of the Department of Health

***ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER HANSEN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF FIRST READING. HILDA ADAMS EXPLANATION. NO ONE WISHED TO TESTIFY. FIRST READING UNANIMOUSLY APPROVED. SECOND READING THURSDAY, AUGUST 31, 1995.***

*There being no further business, the regular meeting was adjourned.*

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Tuesday, August 22, 1995 - 1:30 PM  
(OR IMMEDIATELY FOLLOWING REGULAR MEETING)  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland

## **PLANNING ITEMS**

*Chair Beverly Stein convened the meeting at 1:30 p.m., with Vice-Chair Sharron Kelley, Commissioners Gary Hansen and Dan Saltzman present, and Commissioner Tanya Collier excused.*

- P-1 C 4-95 Second Reading and Possible Adoption of an ORDINANCE Amending the Sectional Zoning Maps by Applying the SEC-v (Scenic Views), SEC-h (Wildlife Habitat) and SEC-s (Streams) Zoning Overlay District to Lands within the West Hills Rural Area and Adjacent to Big, Knierem, and Howard Canyon Creeks in the East of Sandy River Rural Area

***AT THE REQUEST OF STAFF AND UPON MOTION OF COMMISSIONER SALTZMAN, SECONDED BY COMMISSIONER KELLEY, THE SECOND READING WAS UNANIMOUSLY CONTINUED TO THURSDAY, SEPTEMBER 7, 1995.***

- P-2 C 1-94a First Reading of a Proposed ORDINANCE Amending the Comprehensive Framework Plan Volume 1 Finding to Include the West Hills Reconciliation Report, as Revised and Amended by the Board, in Fulfillment of the Periodic Review Work Program Tasks for Statewide Planning Goal 5 Resources in the West Hills

***ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER SALTZMAN MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF FIRST READING. GORDON HOWARD EXPLANATION. ARNOLD ROCHLIN AND DONIS MCARDLE TESTIMONY IN SUPPORT OF MEDIATED AGREEMENT BETWEEN ANGELL BROTHERS QUARRY AND THE FRIENDS OF FOREST PARK TO ALLOW CONDITIONAL EXPANSION OF THE QUARRY AND TO CLARIFY SIGNIFICANCE FINDINGS FOR THE THOMPSON***

***FORK OF BALCH CREEK. FOLLOWING BOARD DISCUSSION, FIRST READING UNANIMOUSLY APPROVED. SECOND READING THURSDAY, SEPTEMBER 7, 1995.***

- P-3 C 1-94b First Reading of a Proposed ORDINANCE Amending the Significant Environmental Concern (SEC) Section of the Zoning Code to Protect Significant Wildlife Habitat, Scenic Views, and Streams in the West Hills and Howard Canyon Areas, in Fulfillment of the Periodic Review Work Program Tasks for Statewide Planning Goal 5 Resources in the West Hills and Howard Canyon Areas

***ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER SALTZMAN MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF FIRST READING. GORDON HOWARD EXPLANATION. KAREN MCDANIEL TESTIMONY IN SUPPORT AND REQUESTING THAT LANGUAGE BE INCLUDED IN CODE SECTION LL.15.6426 (A)(4) REGARDING MAPPING OF FENCING ON NEIGHBORING PROPERTIES WITHIN 200 FEET OF THE PROPERTY LINE, STATING "WHEN SUCH INFORMATION CAN BE GATHERED WITHOUT TRESPASS". ARNOLD ROCHLIN TESTIMONY IN OPPOSITION TO THE ORDINANCE AND IN SUPPORT OF RETAINING RIPARIAN AREA, .6428(C) THROUGH (E) CODE LANGUAGE TO REQUIRE EFFECTIVE PROTECTION OF STREAMS; AMENDING DEVELOPMENT NEAR ROADS .6426(B)(2) CODE TO "WITHIN 200 FEET OF A PUBLIC ROAD CAPABLE OF PROVIDING REASONABLE PRACTICAL ACCESS TO THE DEVELOPABLE PORTION OF THE SITE."; RESTORING THE OPEN WIRE FENCING REQUIREMENT OF FENCES 6426(B)(b) CODE; WORD CORRECTION IN WILDLIFE CONSERVATION PLAN .6426(C) CODE (MAY INSTEAD OF MAP); NOT CHANGING FOREST CLEARING FOR DEVELOPMENT .6426(C)(a) AND (b) CODE; AND AMENDING STREAM CONSERVATION AREA .6428 CODE TO ALLOW MEASUREMENT FROM THE CENTER ONLY FOR STREAMS WITH A WIDTH OF LESS THAN SIX***



*FEET MEASURED FROM THE APPARENT COMMON HIGH WATER MARK. ARLAN PATTERSON TESTIMONY IN OPPOSITION TO THE ORDINANCE. FOLLOWING BOARD DISCUSSION, FIRST READING UNANIMOUSLY APPROVED. SECOND READING THURSDAY, SEPTEMBER 7, 1995.*

- P-4 C 2-94 First Reading of a Proposed ORDINANCE Amending the Comprehensive Framework Plan Volume 1 Finding to Include the Howard Canyon Reconciliation Report, as Revised and Amended by the Board, in Fulfillment of the Periodic Review Work Program Tasks for Statewide Planning Goal 5 Resources in the Howard Canyon area

*ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER HANSEN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF FIRST READING. GORDON HOWARD EXPLANATION. PAUL HRIBERNICK, ATTORNEY FOR RAY SMITH AND HOWARD CANYON QUARRY, PRESENTED WRITTEN AND ORAL TESTIMONY IN OPPOSITION TO THE RECONCILIATION REPORT; HEARING NOTICE; PLANNING STAFF POSITION REGARDING LOCATION AND QUANTITY OF THE QUARRY MATERIAL; PLANNING STAFF POSITION THAT APPLICANT CONTINUE PROVIDING NOISE ANALYSIS AND WATER QUALITY STUDIES; THE COUNTY'S PROPOSED TRUCK TRAFFIC MANAGEMENT SYSTEM, TRUCK TRAFFIC PROJECTIONS AND DESIGNATION OF A 600-FOOT WIDE PROTECTED RIPARIAN AREA. MR. HRIBERNICK SUBMITTED STATEMENTS BY RAYMOND SMITH AND WOODY DAVIS IN OPPOSITION TO THE RECONCILIATION REPORT. TESTIMONY. SUSAN FRY ORAL AND WRITTEN TESTIMONY FROM PETER FRY, IN SUPPORT OF THE RECONCILIATION REPORT. KLAUS HEYNE TESTIMONY AND SUBMITTAL OF PROPOSED CHANGES TO PAGE IV, 25 AND 26 OF THE RECONCILIATION REPORT. FOLLOWING BOARD DISCUSSION, FIRST READING UNANIMOUSLY*

**APPROVED. SECOND READING THURSDAY,  
SEPTEMBER 7, 1995.**

- P-5 HDP 56-94 ORDER in the Matter of the Dan McKenzie Hillside Development (HD) Permit: HDP 56-94 for a Culvert and Fill Crossing on the Thompson Fork of Balch Creek

***COMMISSIONER SALTZMAN MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF P-5. SCOTT PEMBLE, JOHN DUBAY AND MARK HESS EXPLANATION OF ITEMS P-5, P-6 AND P-7 AND RESPONSE TO BOARD QUESTIONS. ARNOLD ROCHLIN ORAL AND WRITTEN TESTIMONY IN OPPOSITION TO ITEMS P-5, P-6 AND P-7. FOLLOWING BOARD DISCUSSION, ORDER 95-186 UNANIMOUSLY APPROVED.***

- P-6 SEC 6-94 ORDER in the Matter of SEC 6-94, a Request by Dan McKenzie Seeking to Vacate Prior Significant Environmental Concern (SEC) Permit Decisions: SEC 6-91 and SEC 6-91a which Concerned a Driveway Crossing on the Thompson Fork of Balch Creek

***UPON MOTION OF COMMISSIONER SALTZMAN, SECONDED BY COMMISSIONER KELLEY, ORDER 95-187 WAS UNANIMOUSLY APPROVED.***

- P-7 DR 14-93a ORDER in the Matter of Remand of the DR 14-93 Board of Commissioners Decision and a Request by Dan McKenzie to Amend the Final Design Review Plans for a Non-Forest Dwelling at 6125 NW Thompson Road

***UPON MOTION OF COMMISSIONER SALTZMAN, SECONDED BY COMMISSIONER HANSEN, ORDER 95-188 WAS UNANIMOUSLY APPROVED.***

*There being no further business, the meeting was adjourned.*

OFFICE OF THE BOARD CLERK  
FOR MULTNOMAH COUNTY, OREGON

**Deborah L. Bogstad**

Deborah L. Bogstad