

# **ANNOTATED MINUTES**

Tuesday, September 7, 1999 - 9:30 AM  
Multnomah County Courthouse, Boardroom 602  
1021 SW Fourth Avenue, Portland

## **BOARD BRIEFING**

*Chair Beverly Stein convened the meeting at 9:32 a.m., with Vice-Chair Diane Linn, Commissioners Sharron Kelley, Lisa Naito and Serena Cruz present.*

- B-1 Back to School Updates on School Attendance Initiative, FAST Program, Hispanic Retention Program and SUN Schools. Presented by Elyse Clawson, Jimmy Brown, Denise Gour, Serena Cruz, Mike Harris and Invited Others.

***JIMMY BROWN, JOANNE FULLER, ANDREY TKACHENKO, ANDREA ARCHULETA, FRED DOUGLAS ALCOLN, HELEN TESSELAAR, MICHAEL STARK, ELYSE CLAWSON, DENISE GOUR, MARÍA ELENA CAMPISTEGUY, JUAN CARLOS OCAÑA, SERENA CRUZ, SHARRON KELLEY, MARIA LISA JOHNSON, BECKIE LEE, VAN LE, MIKE HARRIS AND DIANNE IVERSON PRESENTATIONS AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION.***

*There being no further business, the meeting was adjourned at 10:55 a.m.*

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Thursday, September 9, 1999 - 9:30 AM  
Multnomah County Courthouse, Boardroom 602  
1021 SW Fourth Avenue, Portland

## **REGULAR MEETING**

*Chair Beverly Stein convened the meeting at 9:34 a.m., with Vice-Chair Diane Linn, Commissioners Sharron Kelley, Lisa Naito and Serena Cruz present.*

### **CONSENT CALENDAR**

***UPON MOTION OF COMMISSIONER KELLEY,  
SECONDED BY COMMISSIONER LINN, CONSENT  
CALENDAR ITEMS C-1 AND C-3 THROUGH C-13  
WERE UNANIMOUSLY APPROVED.***

**NON-DEPARTMENTAL**

- C-1 Appointment of Sandi Bradley and Jim Kloppman to the COMMUNITY HEALTH COUNCIL

**DEPARTMENT OF COMMUNITY AND FAMILY SERVICES**

- C-3 Renewal of Intergovernmental Revenue Agreement 0010200 with Oregon Mental Health and Developmental Disability Services Division, Funding Mental Health Services on a Capitated Basis for Children and Adults Enrolled in the Oregon Health Plan Medicaid Demonstration Project

**PUBLIC CONTRACT REVIEW BOARD**

- C-4 ORDER Temporarily Exempting from the Formal Competitive Bid Process Five Contracts for the Purchase of Weatherization Services from Five Contractors

***ORDER 99-165.***

**DEPARTMENT OF ENVIRONMENTAL SERVICES**

- C-5 ORDER Canceling Land Sale Contract 15311R with Patrick Poston Upon Default of Payments and Performance of Covenants

***ORDER 99-166.***

- C-6 RESOLUTION Authorizing the Execution of Deed D001654 Upon Complete Performance of a Contract with Albina Ministerial Alliance

***RESOLUTION 99-167.***

- C-7 RESOLUTION Authorizing the Execution of Deed D001656 Upon Complete Performance of a Contract with Celeste Y. Blaser

***RESOLUTION 99-168.***

- C-8 ORDER Authorizing Private Sale of Certain Tax Foreclosed Property to Raymond W. Taylor and Jeannie P. Taylor, Including Direction to Tax Title for Publication of Notice Pursuant to ORS 275.225

***ORDER 99-169.***

- C-9 RESOLUTION Authorizing Private Sale of Certain Tax Foreclosed Property to Robert N. Wise and Nancy B. Murray, Including Direction to Tax Title for Publication of Notice Pursuant to ORS 275.225

***RESOLUTION 99-170.***

**DEPARTMENT OF HEALTH**

- C-10 Renewal of Intergovernmental Agreement 0010394 with Multnomah Education Service District, Providing Nursing Services for Multnomah County Health Department Head Lice Resource Center

**DEPARTMENT OF JUVENILE AND ADULT COMMUNITY JUSTICE**

- C-11 Renewal of Intergovernmental Agreement 0010611 with Multnomah Education Service District, to Continue Funding MESD's Participation in the School Attendance Initiative
- C-12 Amendment 2 to Intergovernmental Agreement 700499 with Portland Public Schools, to Continue Funding PPS's Participation in the School Attendance Initiative
- C-13 Amendment 1 to Intergovernmental Agreement 700558 with Yamhill County, Funding 24 Secure Residential Alcohol and Drug Treatment Beds Through September 13, 1999

**REGULAR AGENDA**

**SHERIFF'S OFFICE**

- C-2 Amendment 2 to Intergovernmental Revenue Agreement 800574 with the U.S. Department of Justice Immigration and Naturalization Service for Detention Services through October 31, 1999

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

***OF C-2. ITEM TABLED PENDING ARRIVAL OF  
MCSO STAFF.***

**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 PROCLAMATION Proclaiming September ACHIEVEMENT MATTERS MONTH and September 18, 1999 DO THE RIGHT THING DAY in Multnomah County, Oregon

***COMMISSIONER KELLEY MOVED AND  
COMMISSIONER LINN SECONDED, APPROVAL  
OF R-2. PROCLAMATION READ. PROCLAMATION  
99-171 UNANIMOUSLY APPROVED.***

- R-3 RESOLUTION Approving a Memorandum of Understanding Relating to Public Facility Improvements and Financing to Support the Portland and Multnomah County Visitor Industry

***COMMISSIONER CRUZ MOVED AND  
COMMISSIONER LINN SECONDED, APPROVAL  
OF R-3. DAVE BOYER EXPLANATION. MIKE  
MILLER OF GRESHAM CHAMBER AND  
JENNIFER OLSON OF GRESHAM TOURISM  
COUNCIL TESTIFIED IN SUPPORT OF THE  
MEMORANDUM WITH EAST MULTNOMAH  
COUNTY REPRESENTATION ON THE VISITOR  
DEVELOPMENT FUND BOARD. IN RESPONSE  
TO BOARD QUESTIONS, SAM COX ADVISED IT  
WAS INTENDED THAT EAST COUNTY BE  
REPRESENTED ON THE VISITOR  
DEVELOPMENT FUND BOARD AND THAT IT  
WILL BE MADE CLEARER IN THE FINAL DRAFT  
MEMORANDUM. BOARD COMMENTS IN  
SUPPORT. IN RESPONSE TO A QUESTION OF  
CHAIR STEIN, JOE DELASSANDRO OF  
PORTLAND VISITORS ASSOCIATION ADVISED***

**HE WOULD BE HAPPY TO GO WITH CHAIR STEIN TO MEET WITH THE GRESHAM AREA VISITORS ASSOCIATION TO DISCUSS EQUITABLE FINANCIAL SUPPORT FOR THE VISITOR INDUSTRY. CHAIR STEIN COMMENTS IN SUPPORT AND APPRECIATION. RESOLUTION 99-172 UNANIMOUSLY APPROVED.**

**DEPARTMENT OF ENVIRONMENTAL SERVICES**

- R-4 Report the Hearings Officer Decision Regarding Denial of CU 9-98, Conditional Use for a Template Dwelling in the CFU-4 Zone for Property Located at 40200 SE TROUT CREEK ROAD; and in Response to a Notice of Review, Request that the Board Schedule a De Novo Hearing for 10:00 a.m., Thursday, October 21, 1999, with Testimony Limited to 20 Minutes Per Side

***UPON MOTION OF COMMISSIONER NAITO, SECONDED BY COMMISSIONER LINN, IT WAS UNANIMOUSLY APPROVED THAT A DE NOVO HEARING BE SCHEDULED FOR 10:30 AM, THURSDAY, OCTOBER 21, 1999, WITH TESTIMONY LIMITED TO 20 MINUTES PER SIDE.***

- R-5 Results of Mediation/Compromise Efforts Between the Trust for Public Lands and Crown Point Country Historical Society and Board Decision Following June 8, 1999 De Novo Hearing on Appeal of Hearings Officer Decision Regarding Denial of Appellants (Crown Point Country Historical Society) Appeal of NSA 26-94, Allowing Applicant (Trust for Public Lands) to Remove Sixteen Structures at Bridal Veil, Excluding Church and Post Office

***CHRIS BECK AND CHUCK ROLLINS EXPLANATION OF AGREEMENT BETWEEN TRUST FOR PUBLIC LANDS AND CROWN POINT COUNTRY HISTORICAL SOCIETY WHICH GIVES CROWN POINT TEN MONTHS FOLLOWING APPEAL PERIOD IN WHICH TO IDENTIFY A PUBLIC STEWARD TO ACQUIRE AND OWN THE PROPERTY AND AN OPPORTUNITY TO RAISE MONEY TO PRESERVE SIX OF THE BUILDINGS CONTINGENT ON CROWN POINT NOT FILING AN APPEAL AND NO OPPOSITION DURING THE DEMOLITION PROCESS OF THE REMAINING BUILDINGS THAT WILL BE DEMOLISHED, AND***

**SOME COORDINATING OF VARIOUS FUND RAISING EFFORTS AND OTHER ISSUES. MR. BECK ADVISED CROWN POINT IS NOT WAIVING ITS APPEAL RIGHTS, THEY STILL HAVE THE OPPORTUNITY TO DO SO AS THE AGREEMENT WILL NOT TAKE AFFECT UNTIL AFTER THE APPEAL PERIOD HAS EXPIRED AND AT THAT TIME TRUST FOR PUBLIC LANDS WILL WORK WITH THEM TO GET ON THE PROPERTY TO EVALUATE THE BUILDINGS TO GET A SENSE OF HOW MUCH IT MIGHT COST TO RESTORE, IF POSSIBLE. MR. ROLLINS ADVISED THEY WORKED HARD WITH TRUST FOR PUBLIC LANDS AND JUST WANTED THE OPPORTUNITY TO SEE IF THEY COULD SAVE THIS VALUABLE CULTURAL RESOURCE. MR. ROLLINS ADDED THEY LOOK FORWARD TO TRYING TO PUT THE PROPOSAL TOGETHER THESE NEXT TEN MONTHS, BUT IF IT WILL COST \$10-\$12 MILLION, CROWN POINT WON'T DO IT. FOLLOWING COUNTY COUNSEL TOM SPONSLER RESPONSE TO CHAIR STEIN'S QUESTION REGARDING BOARD ACTION, COMMISSIONER NAITO MOVED AND COMMISSIONER LINN SECONDED, TO AFFIRM THE HEARINGS OFFICER DECISION. COMMISSIONER KELLEY EXPRESSED CONCERN WITH THE BOARD NOT ADDRESSING THE PARTIES SETTLEMENT AGREEMENT. COMMISSIONER NAITO POINTED OUT THE SIGNED AGREEMENT BETWEEN THE TWO PARTIES DOES NOT INVOLVE THE BOARD JURISDICTION AND THAT IF THERE WAS A BREACH OF THE AGREEMENT, THERE WOULD BE A CIVIL REMEDY THE PARTIES COULD TAKE. IN RESPONSE TO A QUESTION OF COMMISSIONER KELLEY, MR. ROLLINS ADVISED HIS ORGANIZATION WILL NOT APPEAL AS LONG AS IT HAS THE OPPORTUNITY TO GO FORWARD WITH PROPERTY EVALUATION AND POSSIBLE FUND RAISING EFFORTS. IN RESPONSE TO A QUESTION OF COMMISSIONER KELLEY, MR. SPONSLER CLARIFIED THAT THE BOARD WOULD BE**

**MAKING A LAND USE DECISION BASED ON THE RECORD AND FOLLOWING THE JUNE 8, 1999 HEARING. THE BOARD DID NOT MAKE A FINAL LEGAL DECISION TO AFFIRM THE HEARINGS OFFICER DECISION BECAUSE YOU WANTED TO GIVE THE PARTIES TIME TO WORK OUT AN AGREEMENT THAT IS OUTSIDE THE BOARD'S LEGAL JURISDICTION. THIS WHOLE THING IS PREMISED ON THE TRUST FOR PUBLIC LAND HAVING THE LEGAL AUTHORITY TO DEMOLISH THE BUILDINGS WHICH THEY HAVE AGREED WILL NOT OCCUR UNTIL AFTER THE APPEAL PERIOD PLUS 120 DAYS TO ALLOW CROWN POINT THE OPPORTUNITY TO SEE IF THOSE SIX BUILDINGS CAN BE SAVED. COMMISSIONER KELLEY ADVISED SHE WOULD BE MORE COMFORTABLE IF THE MOTION WOULD REFLECT THE AGREEMENT. COMMISSIONER LINN ADVISED SHE FEELS THE BOARD HAS ACHIEVED WHAT IT HOPED FOR AND THAT SHE IS COMFORTABLE MOVING FORWARD WITH AFFIRMATION OF THE HEARINGS OFFICER DECISION. COMMISSIONER CRUZ ADVISED THERE WAS MAJORITY APPROVAL TO AFFIRM THE HEARINGS OFFICER DECISION IN JUNE AND THAT SHE IS PLEASED WITH THE COMPROMISE BETWEEN THE PARTIES. CHAIR STEIN ADVISED THAT LEGALLY THERE IS NO WAY TO INCORPORATE THE AGREEMENT INTO THE BOARD DECISION, BUT THAT SHE EXPECTS THE PARTIES TO ABIDE BY THE AGREEMENT. COMMISSIONER NAITO ADDED SHE IS HAPPY THAT BOTH PARTIES WERE ABLE TO COME TOGETHER WITH THIS AGREEMENT AND APPRECIATES YOUR EFFORTS. MR. BECK STATED THAT BOTH GROUPS ARE PUBLIC INTEREST NON-PROFIT ORGANIZATIONS TRYING TO DO GOOD THINGS FOR THE GENERAL PUBLIC AND THAT THEY WILL CONTINUE TO WORK TOGETHER. COMMISSIONER KELLEY THANKED THE PARTIES FOR ENTERING INTO THIS RELATIONSHIP BUILDING PROCESS. MOTION**

***TO AFFIRM THE HEARINGS OFFICER DECISION  
UNANIMOUSLY APPROVED.***

- R-6 RESOLUTION Authorizing Execution of Lease Agreement for Certain Real Property at 1415 SE 122nd for Continued Operation of the Adult Community Justice East Probation and Parole Office

***COMMISSIONER KELLEY MOVED AND  
COMMISSIONER LINN SECONDED, APPROVAL  
OF R-6. JENNIFER DE HARO EXPLANATION.  
RESOLUTION 99-173 UNANIMOUSLY APPROVED.***

**PUBLIC CONTRACT REVIEW BOARD**

- R-7 ORDER Approving Exemption from the Formal Bid Process a Contract for a Construction Manager/General Contractor for the Multnomah Building Renovation Project

***COMMISSIONER KELLEY MOVED AND  
COMMISSIONER LINN SECONDED, APPROVAL  
OF R-7. JAN THOMPSON, MIKE OSWALD AND  
MIKE HARRINGTON EXPLANATION AND  
RESPONSE TO BOARD QUESTIONS AND  
DISCUSSION. STAFF TO SCHEDULE FOLLOW  
UP MEETING WITH COMMISSIONER CRUZ.  
ORDER 99-174 UNANIMOUSLY APPROVED.***

**SHERIFF'S OFFICE**

- C-2 Amendment 2 to Intergovernmental Revenue Agreement 800574 with the U.S. Department of Justice Immigration and Naturalization Service for Detention Services through October 31, 1999

***ITEM BROUGHT BACK TO TABLE.  
(COMMISSIONER KELLEY MOVED AND  
COMMISSIONER LINN SECONDED, APPROVAL  
OF C-2. DAN OLDHAM AND JEANIE KING  
EXPLANATION AND RESPONSE TO QUESTIONS  
OF CHAIR STEIN AND COMMISSIONER CRUZ.  
AGREEMENT APPROVED WITH  
COMMISSIONERS KELLEY, LINN, NAITO AND  
STEIN VOTING AYE, AND COMMISSIONER CRUZ  
VOTING NO.***



## **DEPARTMENT OF SUPPORT SERVICES**

R-8 RESOLUTION Adopting Multnomah County Investment Policy

***COMMISSIONER KELLEY MOVED AND COMMISSIONER LINN SECONDED, APPROVAL OF R-8. HARRY MORTON EXPLANATION. RESOLUTION 99-175 UNANIMOUSLY APPROVED.***

R-9 RESOLUTION Authorizing Issuance of Revenue Bonds

***COMMISSIONER KELLEY MOVED AND COMMISSIONER LINN SECONDED, APPROVAL OF R-9. DAVE BOYER EXPLANATION AND RESPONSE TO BOARD QUESTIONS. RESOLUTION 99-176 UNANIMOUSLY APPROVED.***

## **DEPARTMENT OF COMMUNITY AND FAMILY SERVICES**

R-10 NOTICE OF INTENT to Apply for Funding for the SUN School Initiative from Meyer Memorial Trust

***COMMISSIONER KELLEY MOVED AND COMMISSIONER LINN SECONDED, APPROVAL OF R-10. CHAIR STEIN EXPLANATION. COMMISSIONER LINN COMMENTS IN SUPPORT. NOTICE OF INTENT UNANIMOUSLY APPROVED.***

R-11 Intergovernmental Agreement 0010639 with Portland Public Schools to Fund a Coordinator Position for the Outer Southeast, Inner Southeast, West District and Grant/Madison Caring Community Projects; and to Fund an Alcohol and Drug Needs Assessment for the West District and Outer Southeast Caring Community Projects

***COMMISSIONER KELLEY MOVED AND LINN SECONDED, APPROVAL OF R-11. SUE LARSEN EXPLANATION AND RESPONSE TO BOARD QUESTIONS. STAFF TO SCHEDULE FOLLOW UP MEETING WITH COMMISSIONER LINN. AGREEMENT UNANIMOUSLY APPROVED.***

## **DEPARTMENT OF JUVENILE AND ADULT COMMUNITY JUSTICE**

- R-12 Intergovernmental Agreement 0010746 with the City of Portland Police Bureau to Fund Staff Support and Other Services for the Juvenile Accountability Incentive Project

**COMMISSIONER KELLEY MOVED AND COMMISSIONER LINN SECONDED, APPROVAL OF R-12. JOANNE FULLER EXPLANATION. AGREEMENT UNANIMOUSLY APPROVED.**

*The meeting was recessed at 10:40 a.m. and reconvened at 10:46 a.m.*

### **NON-DEPARTMENTAL**

- R-13 Briefing on Public Safety Bonds Financial Status and Project Updates, Including Continued Discussion of Child Receiving Center. Presented by Beverly Stein, Dave Boyer, Mike Oswald, Suzanne Riles, Larry Nicholas, Sharron Kelley, Steffey Group and Invited Others.

**BEVERLY STEIN, DAVE BOYER, MIKE OSWALD, BOB NILSEN, BOBBI LUNA, DAN OLDHAM, MARK GUSTAFSON, MEL HEDGPETH, JEANIE KING, RON BISHOP, TIM MOORE, LARRY NICHOLAS, DAVE WARREN, SHARRON KELLEY AND HELEN SMITH PRESENTATIONS AND RESPONSE TO BOARD QUESTIONS, COMMENTS AND DISCUSSION REGARDING PUBLIC SAFETY BONDS, PROJECT UPDATES AND CHILD RECEIVING CENTER. BOARD CONSENSUS TO PROCEED ON DETENTION ELECTRONIC PROJECT. BOARD CONSENSUS THAT CHILD RECEIVING CENTER DISCUSSION BE CONTINUED TO TUESDAY, SEPTEMBER 14, 1999.**

- R-14 RESOLUTION Creating a Siting Advisory Committee to Recommend a Site for a New Child Abuse Center

**BOARD CONSENSUS TO CONTINUE RESOLUTION TO THURSDAY, SEPTEMBER 16, 1999 OR LATER.**

### **COMMISSIONER COMMENT/LEGISLATIVE ISSUES**

R-15 Opportunity (as Time Allows) for Commissioners to Comment on Non-Agenda Items or to Discuss Legislative Issues.

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

*There being no further business, the meeting was adjourned at 12:40 p.m.*

OFFICE OF THE BOARD CLERK  
FOR MULTNOMAH COUNTY, OREGON

*Deborah L. Bogstad*

Deborah L. Bogstad