

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

Tuesday, January 30, 2001 - 9:30 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

BOARD BRIEFING

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

**B-1 Department of Community Justice Policy and Performance Review.
Presented by Elyse Clawson and Joanne Fuller.**

ELYSE CLAWSON AND JOANNE FULLER PRESENTATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION INCLUDING JUVENILE JUSTICE SYSTEM; DRUG TREATMENT COURT; SECURE ALCOHOL AND DRUG TREATMENT UNIT; GROUP TREATMENT IN DETENTION; SCHOOL ATTENDANCE INITIATIVE; ADULT COMMUNITY JUSTICE; OFFENDER ASSESSMENT; ALCOHOL AND DRUG SCREENING UNIT; COGNITIVE RESTRUCTURING TRAINING; INCREASED PROBATION AND PAROLE SUPERVISION; CENTRALIZED INTAKE AND ASSESSMENT; TRANSITION SERVICES FROM PRISON/JAIL TO THE COMMUNITY; AFFORDABLE HOUSING; EDUCATION; PROGRAM EVALUATION AND DESIGN SERVICES; MINORITY OVERPRESENTATION REPORT; ADULT REDESIGN; PROBATION/PAROLE SANCTIONING PATTERNS AND OUTCOMES; INTERCHANGE EVALUATION; RECIDIVISIM PROGRAMS; DEPARTMENTAL COLLABORATION ON SERVICES FOR OFFENDERS WITH MENTAL ILLNESS, RETARDATION AND/OR DEVELOPMENTAL DISABILITIES; OREGON YOUTH AUTHORITY AND DEPARTMENT OF CORRECTIONS BUDGET ALLOCATIONS FOR COMMUNITY CORRECTIONS.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:38 a.m.

Tuesday, January 30, 2001 - 10:30 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

LAND USE PLANNING

Chair Beverly Stein convened the meeting at 10:52 a.m., with Vice-Chair Lisa Naito, and Commissioners Diane Linn, Serena Cruz and Lonnie Roberts present.

P-1 Reopened Public Hearing and Decision on CU 00-02, Denial of a Conditional Use Permit Application for Development Within Howell Territorial Park on Property Located at 13901 NW HOWELL ROAD, PORTLAND. (Decision Continued from 10/26/00, Reset from 12/07/00, Decision Continued and Public Hearing Reopened 01/04/01)

CHAIR STEIN EXPLAINED QUASI-JUDICIAL PROCESS. AT CHAIR STEIN'S REQUEST FOR DISCLOSURE OF BIAS OR PRE-JUDGMENT OF THIS CASE, NONE WERE DISCLOSED. AT CHAIR STEIN'S REQUEST FOR DISCLOSURE OF POTENTIAL OR ACTUAL CONFLICTS OF INTEREST, NONE WERE DISCLOSED. AT CHAIR STEIN'S REQUEST FOR DISCLOSURE OF EX PARTE CONTACTS, COMMISSIONER LINN DISCLOSED SHE RECEIVED EMAILS WHICH SHE FORWARDED TO PLANNER DERRICK TOKOS AND THAT SHE HAD A CONVERSATION WITH METRO STAFF WHICH WOULD NOT BIAS HER DECISION. COMMISSIONER NAITO AND CHAIR STEIN DISCLOSED THEY RECEIVED EMAILS WHICH THEY FORWARDED TO PLANNER DERRICK TOKOS. COMMISSIONERS CRUZ AND ROBERTS DISCLOSED THEY RECEIVED EMAILS WHICH THEY DELETED. AT CHAIR STEIN'S REQUEST FOR DISCLOSURE OF SITE VISITS, COMMISSIONER LINN DISCLOSED HER STAFF ASSISTANT LAURA BRIDGES ATTENDED JANUARY 17, 2001 MEETING WITH METRO, COUNTY AND SAUVIE ISLANDERS WHICH WOULD NOT BIAS HER DECISION. AT CHAIR STEIN'S REQUEST FOR DISCLOSURE OF CHALLENGES AND/OR OBJECTIONS, NONE WERE OFFERED.

COUNTY PLANNER DERRICK TOKOS PRESENTED STAFF REPORT AND CASE HISTORY, ADVISING THIS IS AN APPEAL OF THE MAY 17, 2000 HEARING OF METRO'S CONDITIONAL USE PERMIT APPLICATION FOR DEVELOPMENT WITHIN HOWELL TERRITORIAL PARK WHICH RESULTED IN THE JULY 2, 2000 HEARINGS OFFICER DENIAL. THE BOARD HEARD THE DE NOVO APPEAL ON MAY 26, 2000 AND THE DECISION WAS CONTINUED TO DECEMBER 7, 2000, RESCHEDULED TO JANUARY 4, 2001 AND CONTINUED TO TODAY IN ORDER TO ALLOW THE PARTIES TO WORK TOGETHER, PER BOARD REQUEST, TO RESOLVE THE THREE REMAINING ISSUES RELATING TO WHETHER METRO HAS SHOWN THAT PROPOSED IMPROVEMENTS WILL NOT CHANGE OR SIGNIFICANTLY INCREASE COSTS OF ACCEPTED FARM PRACTICES ON SURROUNDING LANDS, INCLUDING TRAFFIC INTERFERENCE WITH SEASONAL HARVESTS, CROP DELIVERY AND APPLICATION OF PESTICIDES AND HERBICIDES; WHETHER METRO HAS SHOWN THAT EXISTING ACCESS TO THE PARK WILL BE SAFE; AND WHETHER METRO HAS SHOWN THAT ADEQUATE FIRE PROTECTION IS AVAILABLE FOR PROPOSED EXPANSION, INCLUDING DESCRIPTION OF EMERGENCY SERVICE DEMANDS TO ADDRESS SAUVIE ISLAND FIRE DISTRICT CONCERNS, AND THAT EMERGENCY SERVICES WILL NOT REQUIRE FIRE SERVICE BEYOND WHAT IS CURRENTLY AVAILABLE. MR. TOKOS REPORTED THAT METRO HAS NOT REVISED ITS APPLICATION FOLLOWING THE REVISED SUPPLEMENTAL FINDINGS PRESENTED ON JANUARY 4, 2001.

IN RESPONSE TO A QUESTION OF CHAIR STEIN, COUNTY ATTORNEY SANDRA DUFFY REPORTED THAT HEARINGS OFFICER LIZ FANCHER ATTENDED THE OCTOBER 26, 2000 DE NOVO HEARING, BUT IS NOT HERE TODAY.

METRO COUNSEL KENNETH HELM INTRODUCED EXECUTIVE OFFICER MIKE BURTON AND PLANNER LORA PRICE. MR. HELM REPORTED THAT WHILE METRO CONTINUES TO STAND BEHIND ITS MASTER PLAN ADOPTED APRIL 17, 1997, THAT METRO MET WITH SAUVIE ISLAND NEIGHBORS TO TRY TO WORK OUT THE REMAINING ISSUES, AND METRO HAS CONCLUDED THAT A BOARD DETERMINATION ON WHETHER METRO HAS MET THE LEGAL REQUIREMENTS OF THE THREE REMAINING CONDITIONS MAY BE THE ONLY ALTERNATIVE. MR. HELM SUGGESTED THAT THE DECISION COULD ALSO BE CONTINUED TO A SEPTEMBER DATE CERTAIN TO ALLOW THE COUNTY TASK FORCE ON THE WEST OF SANDY RIVER RURAL AREA PLAN TO COMPLETE ITS WORK, AND THAT COUNTY STAFF COME BACK TO THE BOARD IN JUNE WITH A DRAFT PARK ZONE AND PLAN AMENDMENT TO THE COUNTY LAND USE ORDINANCE WHICH WOULD PROVIDE ONE SET OF UNIFORM DEVELOPMENT STANDARDS FOR PARK LANDS IN UNINCORPORATED MULTNOMAH COUNTY, WHICH METRO COULD ASSIST IN DRAFTING. MR. HELM SUGGESTED THAT METRO COULD THEN BRING A NEW APPLICATION FORWARD, PROVIDING ADDITIONAL OPPORTUNITY FOR CITIZEN INPUT, OR THAT THE BOARD COULD CLOSE TODAY'S HEARING, CLOSE PUBLIC INPUT, PROVIDE A ONE WEEK CONTINUANCE IN ORDER TO REVIEW SUBMISSIONS TO DATE, THEN WORK OUT A DECISION REGARDING METRO'S CURRENT APPLICATION WITH THE REVISED SUPPLEMENTAL FINDINGS PRESENTED ON JANUARY 4, 2001.

MIKE BURTON COMMENTED IN SUPPORT OF METRO MASTER PLAN, ADVISING HE FELT IT BEST MET THE NEEDS OF THE CITIZENS. MR. BURTON ADDED THAT AS THE PROPERTY IS NOT PRESENTLY ZONED FOR PARK BUT EXCLUSIVE FARM USE, HE SUPPORTS A CONTINUANCE TO SEPTEMBER TO ALLOW THE COUNTY TASK FORCE ON THE WEST OF SANDY RIVER RURAL AREA PLAN TO COMPLETE ITS WORK.

IN RESPONSE TO A REQUEST OF CHAIR STEIN, ATTORNEY DAN KEARNS, REPRESENTING THE SAUVIE ISLAND BOOSTERS, INTRODUCED LORA CRESWICK AND IN RESPONSE TO METRO'S REQUEST FOR CONTINUANCE, ADVISED THAT A LOT OF FOLKS HERE TODAY WANTED AN OPPORTUNITY TO SPEAK. (42 SPEAKER CARDS WERE SUBMITTED AND WRITTEN TESTIMONY WAS SUBMITTED FOR RECORD.)

COMMISSIONER NAITO ADVISED SHE APPRECIATES THAT EVERYONE CAME TODAY, BUT SUGGESTED THAT EVERYONE BE NOTIFIED TO PARTICIPATE AT ANOTHER DATE. CHAIR STEIN ADVISED SHE PREFERS NO PUBLIC TESTIMONY TODAY AS IT MAY NOT BE PERTINENT TO THE ISSUES BEFORE THE BOARD. IN RESPONSE TO A QUESTION OF CHAIR STEIN, COUNTY ATTORNEY SANDRA DUFFY ADVISED THAT ALTHOUGH THE COMMISSIONERS ARE PRECLUDED

FROM DISCUSSING THE QUASI-JUDICIAL ISSUES RELATING TO THIS APPEAL, COMMISSIONER LINN COULD DISCUSS PARK ZONING LEGISLATIVE ISSUES WITH THE SAUVIE ISLAND RESIDENTS. COMMISSIONER LINN ADVISED SHE WOULD BE HAPPY TO STAY AND DISCUSS THOSE ISSUES WITH FOLKS AFTERWARDS.

COMMISSIONER LINN EXPRESSED CONCERN THAT THE PARTIES MIGHT BE BACK HERE IN SEPTEMBER WITH THE SAME ISSUES. MR. HELM AND MR. BURTON ASSURED COMMISSIONER LINN THAT IF THE COUNTY PROCEEDS WITH UNIFORM DEVELOPMENT STANDARDS FOR PARK LANDS, METRO WOULD ULTIMATELY WITHDRAW ITS APPLICATION. MR. KEARNS SUGGESTED THAT METRO WITHDRAW ITS APPLICATION NOW, ADVISING THE WORK WAS NOT DONE IN VAIN AND IT WOULD MAKE HIS CLIENTS HAPPY. CHAIR STEIN COMMENTED IN SUPPORT OF THE PARK PLAN PROCESS AND SUGGESTED THE CONTINUANCE BE TO AN EVENING HEARING ON SAUVIE ISLAND TO ACCOMMODATE ALL THE FOLKS WHO CAME OUT TODAY. COMMISSIONER LINN QUESTIONED WHETHER ONE MONTH WAS ENOUGH TIME FOR METRO'S REQUESTED CONTINUANCE. MR. BURTON RESPONDED THAT A WEEK IS MORE THAN ENOUGH TIME TO PROCESS AND RESPOND TO MATERIALS RECEIVED TODAY, AND ADVISED THE BOARD THAT METRO WANTS TO RESERVE, AS OWNER OF THE PROPERTY, THE RIGHT THAT IT CAN CONSULT WITH THE BOARD AND SELL THE PROPERTY FOR PUBLIC USE. IN RESPONSE TO QUESTIONS OF CHAIR STEIN, MS. DUFFY REPORTED THAT METRO WANTS TO LEAVE BOTH DOORS OPEN, SO THEY CAN GO FORWARD WITH THE APPEAL OR WITHDRAW APPLICATION; AND THAT IN SEPTEMBER THE COUNTY WOULD BE CLOSER TO HAVING THE PARK ZONE PROCESS COMPLETED. IN RESPONSE TO QUESTIONS OF CHAIR STEIN AND COMMISSIONER LINN, MR. BURTON ADVISED THAT METRO IS NOT INTERESTED IN MAKING OTHER CHANGES TO ITS APPLICATION, BUT WOULD CONTINUE MAINTAINING THE PARK AS IS AND OPERATING IT AT A MINIMUM UNTIL RESOLUTION OF A PARK ZONE PROCESS OR THE APPLICATION APPEAL.

IN RESPONSE TO QUESTION OF CHAIR STEIN, PLANNER SUSAN MUIR REPORTED THE WEST OF SANDY RIVER RURAL AREA PLAN PROCESS IS ON TRACK TO GO TO THE PLANNING COMMISSION IN JUNE AND TO THE BOARD IN SEPTEMBER. MS. MUIR ADDED THAT THEY HAD NOT EXPECTED TO PROVIDE DETAILED PARK USE, BUT THAT THEY COULD DO SO. BOARD CONSENSUS THAT THEY DO SO.

UPON MOTION OF COMMISSIONER NAITO, SECONDED BY COMMISSIONER LINN, IT WAS UNANIMOUSLY APPROVED TO CONTINUE THE HEARING TO 6:30 PM, TUESDAY, SEPTEMBER 18, 2001, AND THAT THE EVENING HEARING TO BE HELD ON SAUVIE ISLAND. MR. HELM WAIVED THE CLOCK THROUGH SEPTEMBER 18, 2001.

VIA LETTER DATED AUGUST 17, 2001, METRO ADVISED THE COUNTY THAT THE PARK ZONE AND PLAN AMENDMENT APPROACH WOULD NOT REMEDY SAUVIE ISLAND RESIDENTS' CONCERNS WITH THE PENDING HOWELL TERRITORIAL PARK APPEAL, AND REQUESTED THAT THE BOARD RESCHEDULE THE SEPTEMBER 18, 2001 HEARING IN ORDER TO GIVE METRO TIME TO PURSUE GRANT FUNDING FROM THE DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT TO HIRE AN IMPARTIAL MEDIATOR TO WORK THROUGH THE REMAINING ISSUES. VIA LETTER DATED AUGUST 28, 2001, METRO WAIVED THE CLOCK THROUGH JANUARY 15, 2002. THE HEARING WAS RESCHEDULED TO 6:30 PM, TUESDAY, JANUARY 15, 2002 AT SAUVIE ISLAND.

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:36 a.m.

Thursday, February 1 2001 - 9:30 AM

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

REGULAR MEETING

Vice-Chair Lisa Naito, convened the meeting at 9:30 a.m., with Commissioners Diane Linn, Serena Cruz and Lonnie Roberts present, and Chair Beverly Stein excused.

CONSENT CALENDAR

UPON MOTION OF COMMISSIONER LINN, SECONDED BY COMMISSIONER CRUZ, THE CONSENT CALENDAR (ITEMS C-1 THROUGH C-2) WAS UNANIMOUSLY APPROVED.

SHERIFF'S OFFICE

C-1 Off Premise Sales Liquor License Renewal for ROCKY POINTE MARINA, 23586
NW St Helens Highway, Portland

PUBLIC CONTRACT REVIEW BOARD

C-2 ORDER Exempting from the Formal Competitive Bid Process the Extension of
Contracts with Rex Heating and Tri County Furnace until June 30, 2001

ORDER 01-012.

REGULAR AGENDA
PUBLIC COMMENT

No public comments were made.

NON-DEPARTMENTAL

R-1 Health Inspections Report to Management Presentation by Auditor Suzanne Flynn, with Craig Hunt, Janis Hull, and Lila Wickham.

SUZANNE FLYNN INTRODUCED JANIS HULL. CRAIG HUNT, LILA WICKHAM AND DAVE HOUGHTON. AUDITOR SUZANNE FLYNN AND ENVIRONMENTAL HEALTH MANAGER LILA WICKHAM PRESENTATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION OF THE AUDIT FINDINGS, INCLUDING DIVISION'S WORK ON DEVELOPMENT OF DATA SYSTEM FIRST STAR TO ACCURATELY MANAGE DATA; OREGON ADMINISTRATIVE RULES; REMITTANCE FEE COLLECTED FOR STATE; FOOD AND DRUG ADMINISTRATIVE CODE; AND FOOD SERVICE ADVISORY COMMITTEE. MS. WICKHAM ADVISED THE DIVISION CONDUCTS APPROXIMATELY 8,000 INSPECTIONS ANNUALLY, INCLUDING RESTAURANT, FOOD PREPARATION, DAY CARE, SWIMMING POOLS, TOURIST RAVEL INDUSTRY, ADULT CARE HOMES AND VECTOR CONTROL.

DEPARTMENT OF SUSTAINABLE COMMUNITY DEVELOPMENT

R-2 Results from RESULTS: DSCD Employee Recognition Process Improvement Team. Presented by Judith Mandt.

JUDITH MANDT INTRODUCED FELLOW TEAM MEMBERS JOYCE RESARE, LISA RAND, GARY CLIFFORD, MIKE OSWALD, SARAH BERAHRMAND, MATT RAK, BOB ALCANTARA, MOLLY JACKSON AND SHARON JOHNSON. LISA RAND, JOYCE RESARE AND JUDITH MANDT PRESENTATION ON TEAM REPORT AND RECOMMENDATION TO IMPLEMENT EMPLOYEE RECOGNITION PROGRAMS WITHIN EACH DEPARTMENT, AND RESPONSE TO BOARD QUESTIONS AND COMMENTS IN SUPPORT.

R-3 Results from RESULTS: Tax Appraisal Division. Presented by Bob Ellis.

PROPERTY VALUATION MANAGER BOB ELLIS AND CHIEF APPRAISER RESIDENTIAL RANDY WALRUFF PRESENTATION OF COUNTY STAFF DEVELOPMENT OF NEW SOFTWARE SYSTEM MACROS THAT ALLOWS APPRAISERS TO ENTER DATA IN ABOUT ONE MINUTE AS OPPOSED TO ONE HOUR, AND RESPONSE TO BOARD QUESTIONS AND COMMENTS IN SUPPORT. FELLOW TEAM MEMBERS BOB MILLS, JIM SELLARS, KIM KNIFKE AND DARLENE RABJOHN WERE INTRODUCED AND ACKNOWLEDGED.

R-4 Columbia River Gorge Commission Proposed Strategy and Timeline for Completing Monitoring Reports and Initiating Management Plan Review and Revision. Presented by Claire Puchy.

MULTNOMAH COUNTY GORGE COMMISSION REPRESENTATIVE ANNE SQUIRE INTRODUCED GORGE COMMISSION EXECUTIVE DIRECTOR CLAIRE PUCHY AND COUNTY PLANNER SUSAN MUIR. MS. SQUIRE AND MS. PUCHY PRESENTATION AND RESPONSE TO BOARD QUESTIONS, COMMENTS IN SUPPORT AND INPUT IN SUPPORT OF PUBLIC PROCESS AND RECORD, AND NEED FOR COMMISSION TO CONSISTENTLY ADDRESS ENFORCEMENT IMPLEMENTATION AND COMPLIANCE QUESTIONS.

DEPARTMENT OF SUPPORT SERVICES

R-5 RESOLUTION Authorizing Multnomah County Participation in the Homeownership Opportunity Initiative Program for County Employees and Retirees

COMMISSIONER LINN MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF R-5. HUMAN RESOURCES DIRECTOR FERNANDO CONILL, AARON PRINCE OF AFL-CIO HOUSING INVESTMENT TRUST, SUE KRAKE OF FANNIE MAE, AND DIANNE WASSON OF HOMESTREET BANK, EXPLANATION, PRESENTATION AND RESPONSE TO BOARD QUESTIONS AND COMMENTS IN SUPPORT OF PROGRAM AND LEADERSHIP OF COMMISSIONER LINN AND CHAIR STEIN. RESOLUTION 01-013 UNANIMOUSLY APPROVED.

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:37 a.m.

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