

ANNOTATED MINUTES

Tuesday, September 22, 1992 - 9:30 AM
Multnomah County Courthouse, Room 602

PLANNING ITEMS

Vice-Chair Sharron Kelley convened the meeting at 9:33 a.m., with Commissioners Pauline Anderson, Rick Bauman and Gary Hansen present, and Chair Gladys McCoy excused.

P-1 PD 2-91 Revised FINAL ORDER in the Matter of the Remand of the Board of Commissioners Decision which APPROVED a Planned Development for a Manufactured Home Park.

PLANNER MARK HESS ADVISED THAT LUBA REMANDED THE BOARD'S FEBRUARY APPROVAL OF A 22 SPACE MANUFACTURED HOME PARK AT 13303 SE RAMONA, SUBJECT TO CONDITIONS, ONE OF WHICH DEFERRED A DETERMINATION ON WHETHER OR NOT THERE WERE SOIL HAZARDS ON THE SITE FROM AN ALLEGED FILL AREA IN THE NORTHEAST CORNER OF THE PROPERTY, BY REQUIRING THE APPLICANT TO PROVIDE SOIL TESTS AND STUDIES TO THE SATISFACTION OF THE BUILDING OFFICIAL. MR. HESS REPORTED THAT LUBA FOUND THE BOARD IMPROPERLY DEFERRED THAT DETERMINATION SINCE THE BUILDING OFFICIAL'S DECISION WOULD NOT BE SUBJECT TO A PUBLIC HEARING. MR. HESS EXPLAINED THAT A REVISED FINAL ORDER HAS BEEN PREPARED WHICH APPROVES THE MANUFACTURED HOME PARK, BUT CHANGES SOME TEXT AND CONDITIONS TO COMPLY WITH STATUTES. MR. HESS ADVISED THAT CONDITION 5 DEFERS THE DECISION ON THE SOIL HAZARDS ISSUE TO THE PLANNING DIRECTOR PENDING APPLICANT'S PROVISION OF A SOIL TEST ANALYSIS AND THAT ANY DECISION OF THE DIRECTOR WOULD BE SUBJECT TO STATUTORY NOTICE AND PUBLIC HEARING.

IN RESPONSE TO QUESTIONS OF VICE-CHAIR KELLEY, MR. HESS EXPLAINED THAT THE HEARING WOULD BE BEFORE A HEARINGS OFFICER AND THAT THE BOARD IS BEING ASKED TO DETERMINE WHETHER IT BELIEVES THE LANGUAGE CHANGE IS SUFFICIENT TO MEET THE LUBA REMAND AND IF SO, THE NEXT STEP WOULD BE FOR APPLICANTS TO APPLY FOR FINAL DEVELOPMENT PLAN APPROVAL, INCLUDING THE SOIL TESTS COMPONENT, AT WHICH TIME THE PLANNING DIRECTOR WOULD MAKE A DECISION ON THE MATTER, THE SURROUNDING PROPERTY OWNERS WOULD BE NOTIFIED OF SAME AND IF APPEALED, THERE WOULD BE A HEARING BEFORE A HEARINGS OFFICER.

GREGORY LUTJE, ATTORNEY FOR APPELLANT, ASKED FOR ONE WEEK TO REVIEW THE REVISED FINAL ORDER IN ORDER TO COMMENT ON IT. FOLLOWING DISCUSSION WITH COUNTY COUNSEL PETER LIVINGSTON, MR. HESS AND VICE-CHAIR KELLEY, THE MATTER WAS HELD TO THE END OF THE MEETING IN

ORDER TO ALLOW MR. LUTJE TIME TO REVIEW THE FINAL ORDER.

AT THE CONCLUSION OF PLANNING ITEMS P-2 THROUGH P-4, THE BOARD RETURNED TO ITEM P-1.

MR. LUTJE TESTIFIED IN OPPOSITION TO REVISED CONDITION 5 AND SUGGESTED THAT INSTEAD OF REQUIRING A SOILS TEST, THE BOARD SHOULD NOT ALLOW A MOBILE HOME SITE ON THE AREA SUBJECT TO THE LAND FILL, STATING THAT THE DANGER OF THE PRESENCE OF CONTAMINANTS IS NOT LESSENERED BY THE FACT THAT SUCH CONTAMINANTS MAY BE COVERED WITH FILL AND THEY HAVE THE POTENTIAL OF LEACHING HORIZONTALLY TO ADJOINING PROPERTY OR VERTICALLY INTO THE HIGH WATER TABLE. MR. LUTJE REQUESTED THAT CONDITION 5 BE FURTHER REVISED TO REQUIRE AN ADEQUATE REVIEW OF THE FINDINGS, CITING THE EXTENT OF THE PROBLEM AND PROPOSED RECOMMENDATIONS TO CORRECT SAME.

IN RESPONSE TO QUESTIONS OF COMMISSIONER HANSEN, MR. LUTJE STATED THEY ARE REQUESTING THAT THE COUNTY SHOW DEFINITELY THAT THERE ARE NO HAZARDS ON THE SITE PRIOR TO APPROVAL OF THE DEVELOPMENT PERMIT UNDER THE PD DESIGN, AND REPORTED THAT HE HAS PREVIOUSLY REQUESTED THAT AN ENVIRONMENTAL CONSULTANT TEST THE WHOLE SITE.

COMMISSIONER BAUMAN MOVED, SECONDED BY COMMISSIONER HANSEN, APPROVAL OF THE FINAL ORDER.

IN RESPONSE TO COMMENTS OF COMMISSIONER BAUMAN, MR. HESS ADVISED THAT THE SOILS TESTING WOULD BE REFERRED TO THE SECOND STAGE AND WOULD INCLUDE ALL FILL AREAS TO DETERMINE ANY HAZARDS WHICH MAY EXIST.

VOTE ON THE MOTION WAS UNANIMOUSLY APPROVED. [ORDER 92-180.]

P-2 CU 11-92 HEARING, ON THE RECORD TO RECONSIDER THE BOARD ACTION TAKEN ON AUGUST 25, 1992, Upholding the Hearings Officers Decision of July 6, 1992, APPROVING, Subject to Conditions, a Non-Resource Related Single Family Dwelling on a 7.80 Acre Lot of Record in the MUF-19 Zoning District, for Property Located at 43640 EAST LARCH MOUNTAIN ROAD.

PLANNER BOB HALL ADVISED THAT THIS IS A REHEARING OF AN APPEAL, ON THE RECORD, WITH TESTIMONY LIMITED TO TEN MINUTES PER SIDE.

IN RESPONSE TO A QUESTION OF VICE-CHAIR KELLEY, COUNTY COUNSEL PETER LIVINGSTON ADVISED THAT THE PROPONENT AND OPPONENT MAY PRESENT ARGUMENTS, BUT CANNOT ADD NEW EVIDENCE TO THE RECORD.

MICHAEL ROBINSON, ATTORNEY REPRESENTING APPLICANT/APPELLANT, TESTIFIED THAT CONDITIONS 5 AND 6 LEAVE APPLICANT WITHOUT A VIABLE BUILDING SITE ON THE LOT AND REQUESTED THAT THE BOARD DELETE CONDITION 5 AND AMEND CONDITION 6 TO REQUIRE A 70 FOOT SETBACK FROM THE EASTERLY PROPERTY LINE. IN RESPONSE TO A QUESTION OF COMMISSIONER ANDERSON, MR. ROBINSON EXPLAINED HIS CLIENT DID NOT KNOW THAT THIS MIGHT BE A CONTESTED SITE. MR. ROBINSON ADDED THAT THE STAFF REPORT SUBMITTED PRIOR TO THE HEARINGS OFFICER DECISION APPROVED THE REQUEST WITHOUT IMPOSING A 50 FOOT REQUIREMENT THAT THE HOUSE BE CLOSE TO LARCH MOUNTAIN ROAD AND WITHOUT IMPOSING 100 FOOT SETBACKS ON THE EAST OR WEST PROPERTY LINES.

IN RESPONSE TO QUESTIONS OF COMMISSIONER ANDERSON, MR. DEAN GRAY EXPLAINED THAT THE DRIVEWAY WAS PUT IN BEFORE THEY BECAME INTERESTED IN THE LOT AS A BUILDING SITE AND THERE WERE FEW OPTIONS CONCERNING PLACEMENT OF A DRIVEWAY ON THAT LOT.

EASTERLY NEIGHBOR DONALD HORN TESTIFIED IN OPPOSITION TO THE DEVELOPMENT.

IN RESPONSE TO A STATEMENT OF MR. ROBINSON ADVISING THAT THE COUNTY ZONING CODE ADDRESSES INSTANCES IN WHICH CERTAIN LOT SETBACKS CANNOT BE MET BY STATING "WHEREVER POSSIBLE", MR. HALL CONFIRMED THAT THE 200 FOOT SETBACK FROM SITE PROPERTY LINES DOES SAY WHENEVER POSSIBLE. MR. HALL ADVISED THAT THE FRONT YARD SETBACK IS A 30 FOOT MINIMUM, AND THAT THE ORDINANCE STATES IF A DRIVEWAY IN EXCESS OF 500 FEET IS REQUIRED, APPLICANT MUST STATE IN WRITING THE REASONS WHY.

IN RESPONSE TO QUESTIONS OF COMMISSIONER ANDERSON, MR. HALL ADVISED THAT IN THE CASE OF THIS PROPERTY, IT IS NOT EVEN 400 FEET WIDE, SO IT WOULD BE IMPOSSIBLE TO STAY 200 FEET FROM BOTH SIDES OF THE PROPERTY LINES AND THAT THE PROPOSED SITE PLAN HAS THE PROPOSED DWELLING 30 FEET FROM THE PROPERTY LINE, BUT THE APPLICANT HAS STATED THEY WOULD INCREASE THAT TO 70 FEET INSTEAD OF 200 FEET.

IN RESPONSE TO QUESTIONS OF VICE-CHAIR KELLEY, MR. HALL ADVISED THAT PLANNING STAFF VISITED THE SITE AND TOOK SLIDES AND RECOMMENDED APPROVAL OF THE ORIGINAL SITE PRIOR TO THE HEARINGS OFFICER DECISION TO CHANGE THE SITE.

VICE-CHAIR KELLEY REPORTED EX PARTE CONTACTS CONSISTING OF TWO PHONE CALLS FROM MR. BURKHOLDER CONCERNING PROCESS AND RECEIPT OF A LETTER FROM MR. AND MRS. HORN, WHICH SHE

SUBMITTED INTO THE RECORD, AND STATED SHE DOES NOT BELIEVE THE CONTACTS WILL INFLUENCE HER DECISION.

FOLLOWING BOARD DISCUSSION WITH MR. LIVINGSTON, COMMISSIONER HANSEN MOVED, SECONDED BY COMMISSIONER ANDERSON, TO UPHOLD THE HEARINGS OFFICER'S DECISION WITH THE EXCEPTION OF DELETING NO MORE THAN 50 FEET FROM THE ROAD AND AMENDING THE 100 FOOT EAST SETBACK TO 70 FEET FROM THE EAST.

COMMISSIONER BAUMAN ADVISED HE WILL BE VOTING AGAINST THE MOTION BECAUSE HE FEELS THERE IS NO BURDEN OF PROOF TO REVERSE THE HEARINGS OFFICER'S DECISION. IN RESPONSE TO A QUESTION OF COMMISSIONER ANDERSON, COMMISSIONER BAUMAN ADVISED HE FEELS THERE IS NO EVIDENCE BEFORE THE BOARD TO SUGGEST THE HEARINGS OFFICER MADE AN ERROR IN DEFINING CONDITIONS.

IN RESPONSE TO A QUESTION OF COMMISSIONER HANSEN, MR. LIVINGSTON ADVISED THAT PLANNING STAFF AND THE HEARINGS OFFICER VISITED THE SITE.

COMMISSIONER ANDERSON DISCUSSED WITHDRAWING HER SECOND WITH MR. LIVINGSTON AND COMMISSIONER BAUMAN.

COMMISSIONER HANSEN DISCUSSED HIS REASONS FOR SUPPORTING THE MOTION.

COMMISSIONER ANDERSON DISCUSSED HER REASONS FOR DENYING THE MOTION AND UPHOLDING THE HEARINGS OFFICER'S DECISION.

VOTE ON THE MOTION FAILED WITH COMMISSIONERS HANSEN AND KELLEY VOTING AYE AND COMMISSIONERS ANDERSON AND BAUMAN VOTING NO.

MR. LIVINGSTON ADVISED THAT THE EARLIER DECISION WILL STAND DUE TO TODAY'S TIE VOTE, AND REPORTED THAT THERE WILL BE A WRITTEN DECISION FROM THE BOARD AND SUBSEQUENT OPPORTUNITY TO APPEAL THIS TO THE LAND USE BOARD OF APPEALS.

P-3

SEC 6-91a
HDP 4-91a HEARING, ON THE RECORD, 10 MINUTES PER SIDE,
PLUS ADDITIONAL EVIDENCE AND TESTIMONY, in the Matter of an Appeal of a June 16, 1992 Planning and Zoning Hearings Officer Decision DENYING the Applicant's Request to Amend SEC 6-91a and HDP 4-91a, to Permit Construction of a Culvert Over Balch Creek, Which has Already been Installed, Reversing the Administrative Decision of the Planning Director, all for Property Located at 6125 NW THOMPSON ROAD.

VICE-CHAIR KELLEY DISCLOSED EX PARTE CONTACT IN THE FORM OF A LETTER RECEIVED YESTERDAY, WHICH SHE SUBMITTED INTO THE RECORD.

COMMISSIONER ANDERSON DISCLOSED EX PARTE CONTACT IN THE FORM OF A SITE VISIT AND CONVERSATION WITH THE NEIGHBORS.

PLANNER MARK HESS DISCLOSED THAT COMMISSIONER KELLEY RECEIVED A LETTER FROM NANCY ROSALINE DATED AUGUST 25 AND DISCUSSED A SEPTEMBER 16 LETTER TO ATTORNEY DANIEL KEARNS FROM THE DEPARTMENT OF FORESTRY REBUTTING THE NANCY ROSALINE COMMUNICATION ON THE POINT OF WHETHER THE STREAM IS A CLASS I OR CLASS II STREAM. MR. HESS REPORTED AN APPLICATION WAS INITIATED IN EARLY 1991 FOR AN SEC PERMIT FOR A DRIVEWAY CROSSING OVER THE THOMPSON FORK OF BALCH CREEK AND REQUESTED THAT THE BOARD ADDRESS WHETHER THE SEC PERMIT CRITERIA ACTUALLY APPLIED IN THAT INSTANCE.

MICHAEL ROBINSON, ATTORNEY FOR APPLICANT DAN MCKENZIE, REQUESTED THAT THE RECORD BE KEPT OPEN 7 DAYS BEYOND TODAY IN ORDER TO REVIEW AND RESPOND TO NEW DOCUMENTS AND A MEMORANDUM OF ARGUMENT SUBMITTED BY ATTORNEY ED SULLIVAN THIS MORNING. MR. ROBINSON TESTIFIED IN SUPPORT OF HIS CONTENTION THAT THE STREAM IS A CLASS I STREAM AND THAT THE HEARINGS OFFICER ERRED IN HIS DECISION DENYING THE AMENDMENT TO THE SEC AND HDP PERMITS, IN THAT THERE WAS NO EVIDENCE SUPPORTING SEVERAL OF THE FINDINGS AND THE HEARINGS OFFICER MISINTERPRETED THE CRITERIA AND IMPROPERLY RELIED ON A CITY OF PORTLAND DOCUMENT FOR DETERMINING A FACT IN DISPUTE BY BOTH PARTIES. MR. ROBINSON CONCLUDED THAT THE BOARD SHOULD UPHOLD THE APPEAL AND REJECT THE HEARINGS OFFICER'S DENIAL OF THE SEC AND HDP PERMITS.

IN RESPONSE TO QUESTIONS OF COMMISSIONER BAUMAN, DAN MCKENZIE EXPLAINED HE WAS GIVEN A PERMIT TO BUILD A BRIDGE AND VERBAL PERMISSION FROM THE COUNTY PLANNING DEPARTMENT TO PUT IN A CULVERT AND 4 MONTHS LATER SOMEONE PROTESTED THE CULVERT AND THE PLANNING DEPARTMENT INFORMED HIM HE NEEDED A REVISION TO THE ORIGINAL SEC PERMIT FOR THE CULVERT.

COUNTY COUNSEL PETER LIVINGSTON REPORTED THAT APPLICANT REQUESTS A 7 DAY EXTENSION IN WHICH TO ADD ADDITIONAL EVIDENCE AFTER TODAY AND THAT PLANNING STAFF RECOMMENDS THE REQUEST BE GRANTED AND THAT OPPONENTS BE GIVEN AN ADDITIONAL 4 DAYS BEYOND THOSE 7 DAYS TO SUBMIT ANY REBUTTAL LETTERS.

IN RESPONSE TO VICE-CHAIR KELLEY'S SUGGESTION THAT THE PARTIES PRESENT THEIR TESTIMONY, MR. LIVINGSTON EXPLAINED THAT THE RECOMMENDATION IS THAT THE BOARD CLOSE THE PUBLIC TESTIMONY AFTER TODAY AND THAT IT CONTINUE TO ACCEPT WRITTEN TESTIMONY FROM APPLICANT FOR AN ADDITIONAL 7 DAYS AND GIVE OPPONENT 4 DAYS TO SUBMIT ADDITIONAL EVIDENCE AND THEN CLOSE THE RECORD COMPLETELY AND MAKE A DECISION.

ATTORNEY ED SULLIVAN, REPRESENTING FRIENDS OF FOREST PARK AND THE INDIVIDUAL OPPONENTS, TESTIFIED IN OPPOSITION TO THE CONSTRUCTION OF A CULVERT, STATING THAT IN 1987 THE OREGON FORESTRY DEPARTMENT DECLARED THIS PART OF BALCH CREEK TO BE A CLASS I STREAM.

DANIEL KEARNS TESTIFIED IN OPPOSITION TO THE CONSTRUCTION OF A CULVERT.

GARY KISH TESTIFIED IN OPPOSITION TO THE CONSTRUCTION OF A CULVERT.

IN RESPONSE TO A QUESTION OF VICE-CHAIR KELLEY, MR. LIVINGSTON SUGGESTED THAT THE BOARD CLOSE THE PUBLIC TESTIMONY AND SET A DATE FOR THE NEXT DISCUSSION.

IN RESPONSE TO A QUESTION OF COMMISSIONER ANDERSON, MR. HESS EXPLAINED THERE ARE FINDINGS IN THE RECORD REGARDING TEMPORARY TURBIDITY RESULTING FROM INITIAL INSTALLATION OF THE CULVERT.

IN RESPONSE TO A QUESTION OF COMMISSIONER ANDERSON CONCERNING THE VALIDITY OF THE JURISDICTION WHICH RECLASSIFIED THE STREAM FROM CLASS I TO CLASS II, MR. HESS ADVISED HE HAS NOT SEEN THE WRITTEN MATERIAL SUBMITTED BY MR. SULLIVAN REGARDING THE PROCESS, BUT CONSIDERS THE RECLASSIFICATION OFFICIAL.

UPON MOTION OF COMMISSIONER BAUMAN, SECONDED BY COMMISSIONER ANDERSON, IT WAS UNANIMOUSLY APPROVED THAT THE PUBLIC TESTIMONY BE CLOSED TODAY, THAT THE BOARD CONTINUE TO ACCEPT WRITTEN TESTIMONY FROM APPLICANT FOR 7 DAYS, THAT OPPONENT HAVE 4 DAYS FOLLOWING THAT IN WHICH TO SUBMIT ADDITIONAL EVIDENCE AND THAT THE BOARD WILL MAKE ITS DETERMINATION ON THE MATTER AT 9:30 AM ON TUESDAY, OCTOBER 13, 1992.

P-4

MC 2-92

LD 25-92

HEARING, ON THE RECORD, 10 MINUTES PER SIDE, in the Matter of an Appeal of a August 3, 1992 Planning and Zoning Hearings Officer Decision APPROVING, Subject to Conditions, Tentative Plan for a Type I Land Division, a Partition Resulting in Two Lots and APPROVING, Subject to Conditions, Request to Use Easements as the Means of Access

to the New Lot Instead of Providing Frontage on a Dedicated Street, as Required in the MUF-19, Multiple Use Forest Zoning District, Per MCC 11.15.2188 all for Property Located at 7025 NW SUMMERVIEW COURT.

PLANNER DAVE PRESCOTT REVIEWED THE CASE HISTORY AND PRESENTED THE STAFF REPORT.

TOM RILEY IDENTIFIED HIMSELF AS THE APPLICANT IN THIS MATTER.

ARNOLD ROCHLIN TESTIFIED IN OPPOSITION TO THE APPROVAL, STATING HE DOES NOT OBJECT TO A PARTITION OF THE LAND, BUT TO THE PROCESS BY WHICH THE PARTITION WAS DISCUSSED AND DELIBERATED UPON, WHICH HE SEES AS A DISREGARD FOR THE COUNTY CODE.

IN RESPONSE TO A QUESTION OF COMMISSIONER HANSEN, MR. PRESCOTT EXPLAINED THE ACCESS BY EASEMENT WAS REQUESTED BECAUSE THE PARTITION RESULTED IN TWO PARCELS OF LAND WHICH DO NOT HAVE FRONTAGE ON A DEDICATED STREET. MR. PRESCOTT ADVISED THAT HAD THERE NOT BEEN A REQUEST TO DIVIDE THE PROPERTY, APPLICANT COULD HAVE BUILT ON THE ORIGINAL 54 ACRE SITE IN THE LOCATION REQUESTED IN THE BUILDING PERMIT AND USED AN EASEMENT TO GET TO THAT SITE AND IT WOULD NOT HAVE HAD TO GO TO A PUBLIC HEARING.

IN RESPONSE TO QUESTIONS OF COMMISSIONER ANDERSON, MR. PRESCOTT REPORTED THAT THE HEARINGS OFFICER HAD ALL THE INFORMATION PROVIDED IN THE STAFF REPORT AND AT THE HEARING.

IN RESPONSE TO A QUESTION OF COMMISSIONER HANSEN, MR. LIVINGSTON ADVISED THAT IF A MOTION TO EITHER SUSTAIN OR REJECT THE HEARINGS OFFICER DECISION FAILED ON A 2-2 VOTE, THE HEARINGS OFFICER DECISION WOULD STAND.

COMMISSIONER BAUMAN SUGGESTED THAT THE BOARD HOLD OFF ON A DECISION SO COUNTY COUNSEL AND PLANNING STAFF CAN ADEQUATELY ADDRESS THE CONCERNS OF MR. ROCHLIN, GIVING STAFF AN OPPORTUNITY TO REVISE THE HEARINGS OFFICER'S REPORT SO THAT THE REQUIREMENTS ARE MET AND EACH OF THE CONDITIONS ADDRESSED BEFORE BRINGING IT BACK BEFORE THE BOARD FOR A DECISION.

MR. RILEY EXPRESSED CONCERN OVER THE COMPLICATIONS AND DELAY IN COMPLETING THE PROCESS AND EXPRESSED HIS PREFERENCE THAT THE BOARD MAKE ITS DECISION TODAY.

MR. LIVINGSTON REQUESTED POSTPONEMENT OF THE BOARD DELIBERATIONS TO ALLOW COUNTY COUNSEL AND

PLANNING STAFF TIME TO REVIEW THE MATTER AND MAKE SOME SUGGESTIONS TO ASSIST THE BOARD WITH ITS DECISION.

IN RESPONSE TO A QUESTION OF COMMISSIONER ANDERSON, MR. LIVINGSTON EXPLAINED HE HAS NOT EVALUATED THE STRENGTH AND VALIDITY OF MR. ROCHLIN'S ARGUMENTS, BUT IF THE BOARD WERE TO MAKE A DECISION TO UPHOLD THE HEARINGS OFFICER DECISION WITHOUT ADDITIONAL FINDINGS, THAT WOULD BE THE DECISION WHICH MR. ROCHLIN WOULD APPEAL TO THE LAND USE BOARD OF APPEALS. MR. LIVINGSTON ADDED THAT THE BOARD COULD MAKE A DECISION TO AFFIRM THE HEARINGS OFFICER DECISION AND ASK THAT NEW FINDINGS BE PREPARED WHICH MIGHT BE MORE RESPONSIVE THAN THE HEARINGS OFFICER FINDINGS. MR. LIVINGSTON SUGGESTED THAT IT MIGHT BE BETTER FOR THE BOARD TO DEFER A FINAL DECISION ON THIS MATTER UNTIL STAFF HAS HAD AN OPPORTUNITY TO REVIEW IT.

UPON MOTION OF COMMISSIONER BAUMAN, SECONDED BY COMMISSIONER ANDERSON, IT WAS UNANIMOUSLY APPROVED THAT P-4 BE CONTINUED TO 9:30 AM, ON TUESDAY, SEPTEMBER 29, 1992.

There being no further business, the planning items portion of the meeting was adjourned at 12:20 p.m.

OFFICE OF THE BOARD CLERK
for MULTNOMAH COUNTY, OREGON

By Carrie A. Parkerson

Tuesday, September 22, 1992 - 11:00 AM
Multnomah County Courthouse, Room 602

AGENDA REVIEW

B-1 Review of Agenda for Regular Meeting of September 24, 1992

Thursday, September 24, 1992 - 9:30 AM
Multnomah County Courthouse, Room 602

REGULAR MEETING

Vice-Chair Sharron Kelley convened the meeting at 9:33 a.m., with Commissioners Pauline Anderson, Rick Bauman and Gary Hansen present, and Chair Gladys McCoy excused.

CONSENT CALENDAR

UPON MOTION OF COMMISSIONER ANDERSON, SECONDED BY COMMISSIONER HANSEN, THE CONSENT CALENDAR (ITEM C-1) WAS UNANIMOUSLY APPROVED.

NON-DEPARTMENTAL

- C-1 In the Matter of the Appointments of Evelyn Crowell, Cliff Carlsen, Felicia Trader, and Michael Powell to the Library Board, (terms to expire 9/96)

REGULAR AGENDA

NON-DEPARTMENTAL

- R-1 Ratification of an Intergovernmental Agreement, Contract #500123, between the City of Gresham and Multnomah County, Emergency Management Division to Provide Rapid and Effective Response to Mitigate the Effects of Hazardous Materials without Regard to Geographic Boundaries, Effective Dates Upon Signatures to June 30, 1997

UPON MOTION OF COMMISSIONER HANSEN, SECONDED BY COMMISSIONER ANDERSON, R-1 WAS UNANIMOUSLY APPROVED.

- R-2 Ratification of an Intergovernmental Agreement, Contract #500133, between the State of Oregon, Acting By and Through the State Fire Marshal and the City of Gresham and Multnomah County, Emergency Management Division to Participate in the Regional Hazardous Materials Emergency Response Team

UPON MOTION OF COMMISSIONER HANSEN, SECONDED BY COMMISSIONER ANDERSON, R-2 WAS UNANIMOUSLY APPROVED.

MANAGEMENT SUPPORT

- R-3 First Reading and Possible Adoption of an ORDINANCE Relating to the Salary Ranges for Exempt Employees and Repealing Ordinance Nos. 709, 710 and 727, and Declaring an Emergency

PROPOSED ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. HEARING HELD, NO TESTIMONY OFFERED. STAFF RESPONSE TO BOARD QUESTIONS. UPON MOTION OF COMMISSIONER BAUMAN, SECONDED BY COMMISSIONER ANDERSON, ORDINANCE NO. 733 WAS UNANIMOUSLY APPROVED.

JUSTICE SERVICES

COMMUNITY CORRECTIONS

- R-4 Ratification of an Intergovernmental Agreement, Contract #900343, between Multnomah County Department of Community Corrections and the Oregon Department of Corrections to Provide up to \$79,163 of Federal Grant Funds to Conduct a Transition Program for Parolees and Probationers, for the Period July 1, 1992 to December 31, 1993

UPON MOTION OF COMMISSIONER ANDERSON, SECONDED BY COMMISSIONER BAUMAN, R-4 WAS UNANIMOUSLY APPROVED.

R-5 Budget Modification DCC #11 Requesting Authorization to Increase the Field Services Division's Budget by \$49,477 in Federal OTI (Transition Program for Parolees and Probationers) Revenues and Reducing State CCA Field Allocation Revenues by the Same Amount

UPON MOTION OF COMMISSIONER ANDERSON, SECONDED BY COMMISSIONER HANSEN, R-5 WAS UNANIMOUSLY APPROVED.

DEPARTMENT OF ENVIRONMENTAL SERVICES

R-6 Budget Modification DES #6 Requesting Authorization to Reclass a Office Assistant 2 Position to a Office Assistant Senior Position

UPON MOTION OF COMMISSIONER ANDERSON, SECONDED BY COMMISSIONER BAUMAN, R-6 WAS UNANIMOUSLY APPROVED.

DEPARTMENT OF SOCIAL SERVICES

R-7 Ratification of an Intergovernmental Agreement, Contract #103113, between Multnomah County, Housing & Community Services Division and the City of Portland, Bureau of Community Development to Allocate \$12,684 of Federal Community Development Block Grant Funds to Alcohol/Drug Free Housing for Transitional Housing for Homeless Adults through the County's Contract with Central City Concern, for the Period July 1, 1992 to June 30, 1993

UPON MOTION OF COMMISSIONER ANDERSON, SECONDED BY COMMISSIONER HANSEN, R-7 WAS UNANIMOUSLY APPROVED.

R-8 Budget Modification DSS #15 Requesting Authorization to Add \$12,684 of City of Portland Funds to the Housing and Community Services Division Pass Through Budget to Pay for Alcohol/Drug Free Transitional Housing for Homeless Adults

UPON MOTION OF COMMISSIONER ANDERSON, SECONDED BY COMMISSIONER HANSEN, R-8 WAS UNANIMOUSLY APPROVED.

There being no further business, the meeting was adjourned at 9:50 a.m.

OFFICE OF THE BOARD CLERK
for MULTNOMAH COUNTY, OREGON

By *Carris A. Parkinson*

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cap