

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

Tuesday, September 2, 2008 – 7:30 AM to 9:00 AM
Multnomah Building, Third Floor Conference Room 315
501 SE Hawthorne Boulevard, Portland

**LOCAL PUBLIC SAFETY COORDINATING
COUNCIL EXECUTIVE COMMITTEE MEETING**

A quorum or more of the Multnomah County Board of Commissioners may attend the Local Public Safety Coordinating Council Executive Committee meeting. This meeting is open to the public. For further information contact Carol Wessinger at (503) 988-5217

Tuesday, September 2, 2008 - 9:00 AM
Multnomah Building, Sixth Floor Commissioners Conference Room 635
501 SE Hawthorne Boulevard, Portland

EXECUTIVE SESSION

Chair Ted Wheeler convened the meeting at 9:05 a.m., with Vice-Chair Jeff Cogen and Commissioners Lisa Naito, Lonnie Roberts and Maria Rojo de Steffey present.

E-1 The Multnomah County Board of Commissioners will meet in Executive Session Pursuant to ORS 192.660(2)(d),(e) and/or (h). Only Representatives of the News Media and Designated Staff are allowed to attend. News Media and All Other Attendees are Specifically Directed Not to Disclose Information that is the Subject of the Session. No Final Decision will be made in the Session. Presented by County Attorney Agnes Sowle.

EXECUTIVE SESSION HELD.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:18 a.m.

Tuesday, September 2, 2008 - 10:00 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

BOARD BRIEFING

Chair Ted Wheeler convened the meeting at 10:04 a.m., with Vice-Chair Jeff Cogen and Commissioners Lisa Naito, Lonnie Roberts and Maria Rojo de Steffey present.

B-1 Public Safety Briefing on (1) Options for the Use of Current Jail Space and (2) Potential Impacts of Ballot Measures 61 and 57 on the County's Plan to Open the Wapato Jail. Presented by Peter Ozanne, Sheriff Bob Skipper, Scott Taylor, Mike Schrunk, Judge Jean Maurer. 2 HOURS REQUESTED.

CHAIR WHEELER, PETER OZANNE, JUDGE JEAN MAURER, JUDGE JULIE FRANTZ, SHERIFF BOB SKIPPER, DISTRICT ATTORNEY MIKE SCHRUNK, COMMUNITY JUSTICE DIRECTOR SCOTT TAYLOR AND COUNTY HUMAN SERVICES DIRECTOR JOANNE FULLER COMMENTS AND DISCUSSION.

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:10 a.m.

Thursday, September 4, 2008 - 9:30 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

REGULAR MEETING

Chair Ted Wheeler convened the meeting at 9:34 a.m., with Vice-Chair Jeff Cogen and Commissioners Lisa Naito, Lonnie Roberts and Maria Rojo de Steffey present.

CONSENT CALENDAR

UPON MOTION OF COMMISSIONER COGEN, SECONDED BY COMMISSIONER ROJO, THE CONSENT CALENDAR (ITEMS C-1 THROUGH C-2) WAS UNANIMOUSLY APPROVED. [5-0]

C-1 RESOLUTION Setting the Public Hearing Date of September 18, 2008 for the Proposed Transfer of Tax Foreclosed Properties to Local Government Agencies for Non Housing Purposes and Authorizing Publication of Notice in The Daily Journal of Commerce

RESOLUTION 08-119

C-2 Budget Modification DCJ-06 Reclasses a Research/Evaluation Analyst 2 to a Research/Evaluation Analyst Senior in the Employees, Community & Clinical Services Division, as Determined by the Class/Comp Unit of Central Human Resources

REGULAR AGENDA
PUBLIC COMMENT

Public comment was made and received for the record.

R-1 Reappointment of Claudia Burnett to the REGIONAL ARTS & CULTURE COUNCIL

COMMISSIONER ROJO MOVED AND COMMISSIONER COGEN SECONDED, APPROVAL OF R-1.

EXPLANATION GIVEN.

APPOINTMENT UNANIMOUSLY APPROVED. [5-0]

R-2 PROCLAMATION Proclaiming the Week of September 26 to October 2, 2008, as Minority Enterprise Development Week in Multnomah County, Oregon

COMMISSIONER ROJO MOVED AND COMMISSIONER COGEN SECONDED, APPROVAL OF R-2.

EXPLANATION GIVEN.

PROCLAMATION 08-120 UNANIMOUSLY ADOPTED. [5-0]

R-3 PUBLIC HEARING and Board Decision on Request for Reconsideration of Board Order No. 07-158 Denying Ric and Lee Ball's Appeal of ITAX Administrator's Final Determination

COMMISSIONER COGEN MOVED AND COMMISSIONER ROBERTS SECONDED, APPROVAL OF R-3.

MINDY HARRIS AND JACQUELINE WEBER EXPLANATION, BACKGROUND OF RECONSIDERATION, DETAILS OF WHY THE BOARD DENIED THE BALL'S ORIGINAL APPEAL, ABOUT THEIR RESIDENCE AND WHY AND HOW THE BOARD VOTED. MS. WEBER EXPLAINED THAT EVEN THOUGH THE BOARD RECENTLY APPROVED ANOTHER TAXPAYER'S REQUEST FOR RECONSIDERATION, THERE IS NO PROVISION IN THE BOARD RULES FOR RECONSIDERATION HOWEVER THE

BOARD HAS THE AUTHORITY TO DO SO. THE BALLS WERE NOT PRESENT FOR THE HEARING.

COMMISSIONER COGEN COMMENTED THAT THE BALLS ARE ESSENTIALLY SAYING THAT BECAUSE THE BOARD APPROVED ANOTHER CASE THEY SHOULD RECONSIDER OUR DECISION. COMMISSIONER COGEN STATED THERE ARE NO NEW FACTS WHY OUR DECISION SHOULD CHANGE. COMMISSIONER ROBERTS STATED IF THE BOARD DID IT FOR ONE AND THE CIRCUMSTANCES ARE SIMILAR, THE BOARD SHOULD DO SO AGAIN. MS. WEBER ADVISED THERE ARE SOME SUBSTANTIAL DIFFERENCES BETWEEN THE RASK AND BALL APPEALS. COMMISSIONER ROJO STATED IT IS A FELONY TO VOTE IN A COUNTY YOU DO NOT LIVE IN AND IF WE ALLOWED A BREAK TO THE RASKS WE SHOULD ALLOW THE SAME FOR THE BALLS. COMMISSIONER ROJO ADVISED SHE WILL VOTE TO FORGIVE ONE-HALF OF THE ITAX THE BALLS OWE. COMMISSIONER COGEN ADVISED HE DISAGREES BECAUSE EACH CASE IS DIFFERENT AND SINCE THERE ARE NO NEW ALLEGATIONS AND FACTS IN THE BALL CASE, THE BOARD'S PREVIOUS DECISION SHOULD STAND. COMMISSIONER NAITO ADVISED SHE AGREES WITH COMMISSIONER COGEN. CHAIR WHEELER STATED THAT A HALLMARK OF TAX IS FAIRNESS AND TAX LAWS NEED TO BE APPLIED CONSISTENTLY. CHAIR WHEELER ADVISED HE DOES NOT INTEND TO CHANGE HIS ORIGINAL VOTE. COMMISSIONER ROBERTS ADVISED HE AGREES WITH COMMISSIONER ROJO. IN RESPONSE TO A QUESTION OF COMMISSIONER ROBERTS, MS. WEBER EXPLAINED THAT A YES VOTE WOULD ALLOW RECONSIDERATION OF THE BALL APPEAL.

REQUEST FOR RECONSIDERATION FAILED, WITH COMMISSIONERS ROJO AND ROBERTS VOTING AYE, AND COMMISSIONERS NAITO, COGEN AND WHEELER VOTING NO. [2-3]

R-4 Budget Modification HD-03 Transferring \$178,377 in Fiscal Year 2009 County General Fund Budget Authority from the Department of County Management to the Health Department

COMMISSIONER ROJO MOVED AND COMMISSIONER COGEN SECONDED, APPROVAL OF R-4.

EXPLANATION GIVEN.

BUDGET MODIFICATION UNANIMOUSLY APPROVED. [5-0]

R-5 Second Reading of a proposed ORDINANCE Amending Multnomah County Code Chapter 29, Relating to County Flood Hazard Regulations

COMMISSIONER COGEN MOVED AND COMMISSIONER ROJO SECONDED, APPROVAL OF THE SECOND READING.

NO ONE WISHED TO TESTIFY.

THE SECOND READING WAS UNANIMOUSLY APPROVED. THE THIRD READING IS THURSDAY, SEPTEMBER 11, 2008. [5-0]

R-6 RESOLUTION Authorizing a Loan from the Oregon Transportation Infrastructure Fund for the 223rd Avenue Railroad Under-crossing Reconstruction Project

COMMISSIONER COGEN MOVED AND COMMISSIONER ROJO SECONDED, APPROVAL OF R-6.

EXPLANATION GIVEN.

RESOLUTION 08-121 UNANIMOUSLY ADOPTED. [5-0]

R-7 NOTICE OF INTENT to Apply on the Edward Byrne Memorial Justice Grant Program

COMMISSIONER ROBERTS MOVED AND COMMISSIONER COGEN SECONDED, APPROVAL OF R-7.

EXPLANATION GIVEN.

NOTICE OF INTENT UNANIMOUSLY APPROVED. [5-0]

BOARD COMMENT

No board comments were made.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:15 a.m.

Submitted by:

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