

# ANNOTATED MINUTES

Thursday, July 29, 1999 - 9:00 AM  
Multnomah County Courthouse, Boardroom 602  
1021 SW Fourth Avenue, Portland

## BOARD BRIEFING

*Chair Beverly Stein convened the meeting at 9:07 a.m., with Vice-Chair Diane Linn, Commissioners Sharron Kelley and Serena Cruz present, and Commissioner Lisa Naito arriving at 9:12 a.m.*

B-1 Mead Building - West District Probation Office. Presented by Larry Nicholas.

***CHAIR STEIN, COMMISSIONER LINN, LARRY NICHOLAS AND KAREN JONES PRESENTATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION. ELYSE CLAWSON TO MEET WITH EACH COMMISSIONER FOR ADDITIONAL INFORMATION.***

*The briefing was adjourned and the regular meeting was convened at 9:40 a.m.*

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Thursday, July 29, 1999 - 9:30 AM  
Multnomah County Courthouse, Boardroom 602  
1021 SW Fourth Avenue, Portland

## REGULAR MEETING

*Chair Beverly Stein convened the meeting at 9:40 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, THE CONSENT CALENDAR (ITEMS C-1 THROUGH C-5) WAS UNANIMOUSLY APPROVED.***

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

- C-1 Intergovernmental Agreement 0010275 with the Housing Authority of Portland for Rehabilitation and Construction Services for an Addition to an Existing Community Building at Fairview Woods for Head Start, Using Community Development Block Grant Funding
- C-2 Renewal of Intergovernmental Agreement 0010655 with the Regional Drug Initiative, Providing Staff Assistance to Continue to Implement Programs and Services to Combat Drug Abuse in Multnomah County

## **DEPARTMENT OF ENVIRONMENTAL SERVICES**

- C-3 RESOLUTION Canceling Land Sale Contract 15777 with Lori R. Jacobs Upon Default of Payments and Performance of Covenants

***RESOLUTION 99-156.***

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

- C-4 Amendment 1 to Intergovernmental Agreement 700788 with Portland School District No. 1 to Continue Funding Three Staff Positions Connected with the Family Resource Centers Providing Services to Youth and Their Families in the Grant/Madison and Marshall School Attendance Areas

## **DEPARTMENT OF HEALTH**

- C-5 Renewal of Intergovernmental Agreement 0010344 with the Oregon Health Division Center for Disease Prevention and Epidemiology for Grant Research Services Required by the Health Department's Tobacco Prevention Program

## **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.***

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

- R-2 Intergovernmental Agreement 9910883 with the State of Oregon Department of Corrections in Support of a Rotational Job Assignment to Assist in the Continued Development of a Statewide Offender Tracking System

***COMMISSIONER KELLEY MOVED AND COMMISSIONER LINN SECONDED, APPROVAL OF R-2. MICHAEL HAINES EXPLANATION. AGREEMENT UNANIMOUSLY APPROVED.***

**DEPARTMENT OF SUPPORT SERVICES**

- R-3 Ratification of the 1998-2001 Collective Bargaining Agreement Between Multnomah County and the Multnomah County Deputy Sheriffs Association

***COMMISSIONER KELLEY MOVED AND COMMISSIONER LINN SECONDED, APPROVAL OF R-3. DAVID RHYS EXPLANATION AND RESPONSE TO BOARD COMMENTS IN SUPPORT AND ACKNOWLEDGEMENT OF EFFORTS OF BARGAINING TEAM. AGREEMENT UNANIMOUSLY RATIFIED.***

**SHERIFF'S OFFICE**

- R-4 NOTICE OF INTENT to Seek \$156,000 Grant Funding for the Driving Under the Influence Intensive Supervision Program

***COMMISSIONER KELLEY MOVED AND COMMISSIONER LINN SECONDED, APPROVAL OF R-4. SHERIFF DAN NOELLE EXPLANATION. NOTICE OF INTENT UNANIMOUSLY APPROVED.***

**DEPARTMENT OF ENVIRONMENTAL SERVICES**

- R-5 RESOLUTION Authorizing the Chair to Approve Real Property Leases that Do Not Exceed \$100,000 in Annual Rental

***COMMISSIONER KELLEY MOVED AND COMMISSIONER LINN SECONDED, APPROVAL OF R-5. BOB OBERST EXPLANATION AND RESPONSE TO BOARD QUESTIONS. FOLLOWING DISCUSSION, COMMISSIONER NAITO MOVED AND COMMISSIONER CRUZ***

**SECONDED, AN AMENDMENT INSERTING TWO ADDITIONAL REQUIREMENTS: THAT THE LEASE IS WITHIN THE FAIR MARKET RENTAL VALUE; AND THAT THE CHAIR WOULD IMMEDIATELY NOTIFY THE BOARD OF THE SIGNING OF THE LEASE AND THE TERMS. COMMISSIONER LINN ASKED THAT THE COUNTY PURSUE OPPORTUNITIES TO UTILIZE SPACE FROM OTHER JURISDICTIONS SUCH AS SCHOOL DISTRICTS. COMMISSIONER KELLEY ADVISED SHE SUPPORTS THE AMENDMENT AND WILL NOT MAKE HER PROPOSED AMENDMENT TO EXEMPT ANY LEASES OF COUNTY OWNED PROPERTY TO OUTSIDE PARTIES WITHOUT BOARD APPROVAL. AMENDMENT UNANIMOUSLY APPROVED. CHAIR STEIN ADVISED SHE IS WORKING ON FACILITIES ISSUES IN TERMS OF ORGANIZATION AS WELL AS LARGER PLANNING AND WANTS TO BE GUIDED IN HER DECISIONS BY THE OVERALL THOUGHTS AND VALUES OF THE BOARD HAVING TO DO WITH FINANCIAL RESPONSIBILITY AND USING OTHER SPACES. COMMISSIONER NAITO SUGGESTED THAT THE BOARD DISCUSS LONG TERM FACILITIES PLANNING IN CONJUNCTION WITH THE BUDGET PROCESS OR IN SOME OTHER ANNUAL MANNER. IN RESPONSE TO A QUESTION OF COMMISSIONER LINN, MR. OBERST ADVISED THAT ONCE A LEASE HAS BEEN EXECUTED, IT IS A MATTER OF PUBLIC RECORD. RESOLUTION 99-157 UNANIMOUSLY APPROVED, AS AMENDED.**

- R-6 First Reading of an ORDINANCE Repealing Multnomah County Ordinance 903 Pertaining to Expiration Periods for Certain Single Family Dwellings Approved in the Exclusive Farm Use Districts

**ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER LINN MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF FIRST READING. CHUCK BEASLEY EXPLANATION. ARNOLD ROCHLIN**

**TESTIMONY IN SUPPORT. ROY VAN RADEN  
TESTIMONY IN OPPOSITION. JEFF BACHRACH  
TESTIMONY IN OPPOSITION AND REQUEST  
THAT FINDINGS NINE AND ELEVEN BE  
OMITTED. MR. BACHRACH RESPONSE TO  
BOARD QUESTIONS. PLANNER CHUCK BEASLEY  
AND COUNTY COUNSEL JEFF LITWAK  
EXPLANATION IN RESPONSE TO TESTIMONY  
AND BOARD QUESTIONS, ADVISING TODAY'S  
ACTION IS LEGISLATIVE NOT QUASI-JUDICIAL;  
WAS APPROPRIATELY NOTICED; AND WILL  
HAVE NO AFFECT ON MR. BACHRACH'S CLIENTS  
QUASI-JUDICIAL CASE. COMMISSIONER CRUZ  
STATED SHE DISAGREES WITH MR. BACHRACH'S  
POSITION AND SUPPORTS THE PROPOSED  
ORDINANCE AS IT STANDS. FOLLOWING  
DISCUSSION, COMMISSIONER LINN MOVED AND  
COMMISSIONER NAITO SECONDED,  
AMENDMENT OMITTING FINDING NINE. MR.  
LITWAK AND MR. BEASLEY RESPONSE TO  
BOARD QUESTIONS, ADVISING STAFF HAS ONLY  
PROCESSED ONE APPLICATION UNDER  
ORDINANCE 903; THAT WITHOUT LEGISLATION  
THEY WOULD APPLY APPROPRIATE STATE  
REGULATIONS; AND THAT IT WOULD NOT MAKE  
A DIFFERENCE IF FINDING NINE WAS OMITTED.  
AMENDMENT APPROVED, WITH  
COMMISSIONERS KELLEY, LINN, NAITO AND  
STEIN VOTING AYE, AND COMMISSIONER CRUZ  
VOTING NAY. COMMISSIONER KELLEY ADVISED  
SHE DOES NOT SUPPORT REPEALING  
ORDINANCE 903. FIRST READING APPROVED, AS  
AMENDED, WITH COMMISSIONERS LINN, NAITO,  
CRUZ AND STEIN VOTING AYE, AND  
COMMISSIONER KELLEY VOTING NAY. SECOND  
READING THURSDAY, AUGUST 5, 1999.**

**DEPARTMENT OF LIBRARY SERVICES**

R-7 ORDER Approving Exemption from the Formal Bid Process a Contract for a Developer/General Contractor for the Construction of the Hollywood Branch Library

**COMMISSIONER KELLEY MOVED AND COMMISSIONER LINN SECONDED, APPROVAL OF R-7. GINNIE COOPER EXPLANATION AND RESPONSE TO BOARD QUESTIONS. SUSAN HATHAWAY-MARXER TESTIMONY IN SUPPORT OF THE HOLLYWOOD BRANCH BEING AN IMPRESSIVE QUALITY BUILDING. BOARD COMMENTS IN SUPPORT. ORDER 99-158 UNANIMOUSLY APPROVED.**

**NON-DEPARTMENTAL**

R-8 Second Reading and Possible Adoption of an ORDINANCE Amending MCC 11.300 and 11.305 to Exempt Car Sharing Programs from the Motor Vehicle Rental Tax

**ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER CRUZ MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF SECOND READING AND ADOPTION. NO ONE WISHED TO TESTIFY. ORDINANCE 934 UNANIMOUSLY APPROVED.**

R-9 RESOLUTION Creating a Siting Advisory Committee to Recommend a Site for a New Child Abuse Center

**COMMISSIONER NAITO MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF R-9 FOR PURPOSES OF DISCUSSION. LISA NAITO SUBMITTED WRITTEN MATERIAL AND PRESENTED A LIST OF KEY POLICY DECISIONS NEEDING BOARD CONSIDERATION. COMMISSIONER KELLEY ADVISED SHE HAS DAN STEFFEY, MIKE SCHRUNK, SHERIFF NOELLE AND LARRY NICHOLAS HERE TODAY TO ACCRESS THE SPECIFICS OF THE RESOLUTION. CHAIR STEIN STATED SHE FEELS THE RESOLUTION IS PREMATURE AND FOR THE PURPOSES OF TIME PROPOSED THAT THIS ISSUE BE DISCUSSED AS AN INITIAL BOARD BRIEFING ON AUGUST 10, WITH COMMISSIONER KELLEY BRINGING THE RECEIVING CENTER GROUP TO THE TABLE**

**FOR A BRIEFING ON SEPTEMBER 9, CONTINUING THE DISCUSSION DURING THE SEPTEMBER 22 FACILITIES PROJECTS BRIEFING, AND THAT THE BOARD CONSIDER THE RESOLUTION AFTER THAT. COMMISSIONER NAITO MOVED AND COMMISSIONER CRUZ SECONDED, TO CONTINUE THE RESOLUTION TO AUGUST 12 FOLLOWING THE AUGUST 10 BRIEFING. COMMISSIONER NAITO EXPLAINED HER CONCERN WITH THE PROPOSED TIMELINE AND DESIRE TO MOVE WITH SPEED AT THIS POINT IN ORDER FOR THE BOARD TO MAKE KEY POLICY DECISIONS, DETERMINE WHAT THE NEXT STEPS SHOULD BE AND TO DEAL WITH A SEPARATION OF POWERS ISSUE. COMMISSIONER CRUZ ADVISED SHE FEELS COMFORTABLE WITH EITHER CHAIR'S PROPOSAL OR COMMISSIONER NAITO'S PROPOSAL AND LOOKS FORWARD TO ADDRESSING POLICY ISSUES. CHAIR STEIN URGED THE BOARD TO ADOPT HER PROPOSAL IN ORDER NOT TO MAKE THIS A PIECEMEAL ISSUE, HAVE TO LOOK A BOND MEASURE AND DISCOVER HOW MUCH MONEY THERE IS AVAILABLE IN ORDER TO DETERMINE WHAT SIZE SITE WE WANT. COMMISSIONER KELLEY ADVISED THE CHAIR HAS ALREADY GROUPED THE BRIEFINGS TOGETHER IN SEPTEMBER, SO THE AUGUST 12 DATE IS TOO SOON. COMMISSIONER NAITO ADVISED SHE INTENDS TO AMEND HER RESOLUTION TO ACCOMMODATE WHAT A MAJORITY OF THE BOARD WANTS TO MOVE FORWARD WITH, THAT THE ISSUE WAS TO GET THE MATTER BEFORE THE BOARD, TO MOVE FORWARD WITH DELIBERATIONS. COMMISSIONER LINN ADVISED SHE WANTS TO CONSIDER ALL POLICY ISSUES, FEELS A SENSE OF URGENCY ABOUT THIS, WOULD LIKE TO SEE AN ALTERNATIVE PLAN, AND SUGGESTED THAT THE BOARD HAVE A BRIEFING ON AUGUST 10 TO LOOK AT SOME OVERALL POLICY ISSUES**

**AND TALK THEM THROUGH AS A BOARD, AND ADVISED THAT SHE WOULD LIKE TO BE PRESENTED WITH PROS AND CONS OF DIFFERENT APPROACHES AT THE SEPTEMBER 9 BRIEFING. FOLLOWING DISCUSSION, COMMISSIONER NAITO AMENDED HER AMENDMENT, AND COMMISSIONER CRUZ SECONDED, TO CONTINUE THE RESOLUTION TO SEPTEMBER 9 FOLLOWING THE AUGUST 10 AND SEPTEMBER 9 BRIEFINGS. CHAIR STEIN COMMENTS IN OPPOSITION. COMMISSIONER LINN COMMENTS IN SUPPORT. AMENDMENT TO CONTINUE RESOLUTION TO THURSDAY, SEPTEMBER 9, 1999 APPROVED, WITH COMMISSIONERS LINN, NAITO AND CRUZ VOTING AYE, AND COMMISSIONERS KELLEY AND STEIN VOTING NAY.**

*The regular meeting was adjourned at 11:10 a.m. and the briefing was convened at 11:15 a.m.*

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Thursday, July 29, 1999 - 11:00 AM  
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## **BOARD BRIEFING**

- B-2 Emergency Ambulance System Performance Briefing. Presented by Gary Oxman, MD, MPH, Health Officer and Bill Collins, Emergency Medical Services Administrator. 1 HOUR REQUESTED.

**GARY OXMAN AND BILL COLLINS PRESENTATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION. CITY AUDITOR GARY BLACKMER DISCUSSED AUDIT MEMORANDUM HE AND COUNTY AUDITOR SUZANNE FLYNN WILL PROVIDE TO THE BOARD BY AUGUST 11, 1999. STAFF TO PROVIDE ADDITIONAL INFORMATION TO BOARD MEMBERS PRIOR TO BOARD CONSIDERATION OF AMBULANCE CONTRACT SCHEDULED FOR THURSDAY, AUGUST 12, 1999.**

*There being no further business, the meeting was adjourned at 12:34 p.m.*

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Thursday, July 29, 1999 - 2:00 PM  
Multnomah County Courthouse, Boardroom 602  
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## **BOARD BRIEFINGS**

*Chair Beverly Stein convened the meeting at 2:01 p.m., with Vice-Chair Diane Linn, Commissioners Sharron Kelley, Lisa Naito and Serena Cruz present.*

- B-3 Portland Development Commission and the Portland Office of Financial Administration Briefing Regarding Proposed Formation of an Urban Renewal District Along North Macadam Boulevard. Presented by Felicia Trader and Tim Grewe.

***DAVE WARREN, FELICIA TRADER, RICK SAITO, JOHN SPENCER AND ABE FARKAS PRESENTATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION. BOARD COMMENTS IN SUPPORT. MS. TRADER TO DISCUSS WITH EAST COUNTY CITIES.***

- B-4 Discussion of Commissioner Intergovernmental and Liaison Appointments. Presented by Beverly Stein and Bill Farver.

***BOARD DISCUSSION AND CONSENSUS. STAFF TO RESEARCH POSSIBLE ORDINANCE AMENDMENT REGARDING BOARD REPRESENTATION ON ANIMAL CONTROL ADVISORY COMMITTEE.***

- B-5 Review and Discuss the 1999-2000 Budget Process and Recommendations for the 2000-2001 Process. Presented by Dave Warren.

***BILL FARVER AND DAVE WARREN PRESENTATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION REGARDING LEVIES AND THE NEED TO TALK WITH OTHER JURISDICTIONS ABOUT THEIR LEVIES; DISCUSSION THAT THE BOARD GET BACK TO A MISSION AND GOALS RETREAT, AND POSSIBLE***

**AN ANNUAL RETREAT IN EARLY DECEMBER TO DISCUSS LARGER BUDGET ISSUES. BOARD CONSENSUS TO MEET IN EARLY SEPTEMBER FOR TIMING LEVY DISCUSSION, AFTER GETTING MORE INFORMATION FROM ELECTIONS. BOARD WANTS IN DEPTH REVIEW OF THE THREE PUBLIC SAFETY BUDGETS (MCSO, DJACJ & DA).**

*There being no further business, the meeting was adjourned at 4:00 p.m.*

OFFICE OF THE BOARD CLERK  
FOR MULTNOMAH COUNTY, OREGON

*Deborah L. Bogstad*

Deborah L. Bogstad