

# MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS  
ROOM 605, COUNTY COURTHOUSE  
1021 S.W. FOURTH AVENUE  
PORTLAND, OREGON 97204

GLADYS McCOY •	Chair	• 248-3308
PAULINE ANDERSON •	District 1	• 248-5220
GRETCHEN KAFOURY •	District 2	• 248-5219
RICK BAUMAN •	District 3	• 248-5217
	District 4	• 248-5213
JANE McGARVIN •	Clerk	• 248-3277

AGENDA OF  
MEETINGS OF THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS  
FOR THE WEEK OF  
May 1 - 5, 1989

Tuesday, May 2, 1989 - 9:00 AM - Legislative Briefing . . Page 2  
9:30 AM - Planning Items followed by  
Informal Briefings

Tuesday, May 2, 1989 - 1:00 PM - Executive Session . . . .Page 4  
1:30 PM - Joint Emergency Policy Board/  
Board of Commissioners Meeting  
followed by Informal Briefing  
and Informal Review of Formal  
meeting May 4

Thursday, May 4, 1989 - 9:30 AM - Formal. . . . . Page 5

Tuesday, May 2, 1989 - 9:00 AM

Multnomah County Courthouse, Room 602

1. Legislative Briefing (if needed) - Fred Neal, Howard Klink
2. Informal Review of Bids and Requests for Proposals:
  - a) SE 242nd Drive
  - b) Developmental Disabilities Program/Earl Intervention Services
  - c) Administrative Services for Multnomah County's Medical, Vision and Dental Benefits Plans

FORMAL ACTION REQUIRED

3. In the matter of Decisions of the Planning Commission of April 10, 1989 for acceptance and implementation by Board Order:

- PR 2-89 Approve, requested change in the Centennial Community Plan, redesignating this property from Urban Medium Density Residential to Neighborhood Commercial; and
- ZC 2-89 Approve, subject to a condition, amendment of Sectional Zoning Map #400, changing the described property from MR-3, medium density residential district to NC, neighborhood commercial district, all for property at 14815 SE Division Street
- ZC 4-89 Approve amendment of Sectional Zoning Map #73 and #74, changing the described property from MUA-20, multiple use agricultural, to EFU-76, WRG, exclusive farm use, Willamette River Greenway, all for property located at 14730 NW Gillihan Road
- ZC 5-89 Deny requested amendment of Sectional Zoning Map #415, changing the described property from LR-10, Low Density Residential District, minimum lot size of 10,000 square feet, to LR-7, Low Density Residential District, minimum lot size of 7,000 square feet; and
- LD 6-89 Deny tentative plan for a Type III Land Division, all for property located at 4146 SE 141st Avenue

In the matter of the decisions of the Planning Commission of April 10, 1989, reported to the Board for acknowledgement by the Presiding Officer:

- CU 5-89 Approve, subject to conditions, conditional use request to add a boat lift and repair facility at Lucky Landing Moorage; and
- WRG 3-89 Approve requested WRG, Willamette River Greenway Permit, all for property located at 12900 NW Marina Way
- CU 4-89 Approve, subject to conditions, conditional use request to develop the subject property with a non-resource related single family residence, for property located at 46317 E Larch Mountain Road

INFORMAL BRIEFINGS

4. Briefing on progress by Assessment & Taxation in defining neighborhoods as part of the appraisal process for the 1989-90 tax roll - Janice Druian
5. Presentation of Youth Planning Document, which incorporates demographic trends, service gaps, services provided, and emerging issues for youth in Multnomah County - Duane Zussy, Michael Morrissey

PUBLIC TESTIMONY WILL NOT BE TAKEN AT INFORMAL MEETINGS

Tuesday, May 2, 1989 - 1:00 PM

Multnomah County Courthouse, Room 602

EXECUTIVE SESSION

Executive Session regarding pending litigation (allowed under ORS 192.660 (1)(h))

JOINT EMERGENCY MEDICAL SERVICES POLICY BOARD  
AND  
MULTNOMAH COUNTY BOARD OF COMMISSIONERS

1:30 PM (following Executive Session)

EMS Public provider concept, financial implementation plan

Testimony shall be limited to five (5) minutes

The following will be heard at the conclusion of the Emergency Medical Services Hearing:

INFORMAL BRIEFING

Present findings in relation to a four year research project on Probation Management in Multnomah County which was funded by the Edna McConnell-Clark Foundation - John Angell, Todd Clear (Rutger's University)

Informal Review of Formal Agenda of May 4

PUBLIC TESTIMONY WILL NOT BE TAKEN ON INFORMAL BRIEFINGS

Thursday, May 4, 1989, 9:30 AM

Multnomah County Courthouse, Room 602

Formal Agenda

REGULAR AGENDA

BOARD OF COUNTY COMMISSIONERS

- R-1 In the matter of the appointment of Sharon Nesbit (Troutdale/Gresham), Dutch Holub (County Technical Staff), Marge Schmunk (Troutdale), and Robert C. Wiggin (Troutdale) to the Edgefield Task Force
- R-2 Proclamation in the matter of Proclaiming the week of May 7-13, 1989 Be Kind to Animals Week in Multnomah County

DEPARTMENT OF ENVIRONMENTAL SERVICES

- R-3 Resolution in the matter of Substituting Light Rail Transit in the I-205 Freeway (for bus lanes allowed when freeway was built) [Continued from April 20]

DEPARTMENT OF GENERAL SERVICES

- R-4 In the matter of ratification of an Intergovernmental Service Agreement with Washington County Juvenile Department and Multnomah County Information Services Division, for the providing of computer time for the Tri-County Juvenile Information System, for period January 1, 1989 to June 30, 1989

DEPARTMENT OF HUMAN SERVICES

- R-5 In the matter of ratification of an amendment to an Intergovernmental Agreement with Oregon Health Sciences University, to restate terms and conditions in the existing agreement to manage and authorize payment for involuntary hospitalization of patients diverted from Dammasch State Hospital, due to overcrowding, and allowing payment for emergency holds occurring on or after April 1, 1989
- R-6 In the matter of ratification of an Intergovernmental Agreement with Oregon Health Sciences University, to provide emergency hold services to patients in pre-commitment status, for period May 1, 1989 to June 30, 1990

DEPARTMENT OF JUSTICE SERVICES

- R-7 In the matter of ratification of an intergovernmental agreement with the U.S. Department of Agriculture, Forest Service, for the Sheriff's Office to enforce Federal/State laws and regulations in the National Forest, for period May 25, 1989 to September 4, 1989
- R-8 Notice of Intent from Office of Women's Transition Services to apply for federal grant (Office to Substance Abuse Prevention: Public Health Service) (\$182,480) for a project to coordinate services to substance abusing pregnant women

THE FOLLOWING WILL BE HEARD FOLLOWING THE FORMAL AGENDA

WORK SESSION

Approximately - 10:00 A.M.

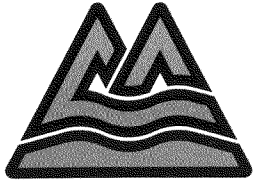
1. Department of Justice Services Reorganization

Thursday Meetings of the Multnomah County Board of Commissioners are recorded and can be seen at the following times:

Thursday, 10:00 PM, Channel 11 for East and West side subscribers

Friday, 6:00 P.M., Channel 27 for Rogers Multnomah East subscribers

Saturday 12:00 PM, Channel 21 for East Portland and East County subscribers



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## EXECUTIVE SESSION 5/02/89

PRESENT: Commissioner Gladys McCoy, Chair; Commissioner Pauline Anderson; Commissioner Gretchen Kafoury; Commissioner Rick Bauman

Laurence Kressel, County Counsel reported on the status of the following:

a) ASA I - Appeal to Judge Crookham's ruling, oral argument is scheduled for this month, and following testimony, a decision will be made. The decision could be that the appeal is not appropriate because the Board approved an ASA II; or the Legislature may pass legislation which will affect this decision.

b) ASA II - Judge Johnson ruled that this was not appropriate for Court decision, but that it should be decided by the State Health Division. A hearing was held and the Hearings Officer ruled that the State's rules were not clear. The State is working on the rules at this time. The County cannot implement the ASA II until the State approves.

c) Public EMS Ambulance System/Rate Regulation - County Counsel feels that in either of these cases the County would prevail in an appeal, but regardless, either plan would have to have State approval.

Mr. Kressel submitted a sheet giving his advice about all four options, with the steps needed for implementation, and the likely outcome, in his opinion, of litigation.

The meeting was adjourned.

Commissioner McCoy convened the Board of Commissioners, and announced that the Board had received information from County Counsel, but that no action was taken.

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SERVICE TYPE	STEPS TO IMPLEMENTATION	MAJOR LEGAL ISSUES	LIKELIHOOD OF PREVAILING ON LEGAL ISSUES
1 ASA	<ol style="list-style-type: none"> <li>1. Ruling (C/A and Sup. Ct.) reversing Crookham's injunction</li> <li>2. Legislation?</li> <li>3. BCC adopts 1 ASA plan</li> <li>4. Health Division approval</li> <li>5. Circuit Court rulings on the remaining claims?</li> <li>6. Appeals (from Health Division and/or court). Restraining order?</li> <li>7. Issue RFC/RFP</li> <li>8. Award bid</li> <li>9. Sign contract</li> </ol>	<ol style="list-style-type: none"> <li>1. Does statute prohibit 1 ASA?</li> <li>2. Does Portland Charter prohibit 1 ASA?</li> <li>3. Uncompensated "taking"</li> <li>4. Antitrust violation</li> <li>5. Procedural irregularities</li> <li>6. Unreasonableness of policy (ORS 203.060)</li> </ol>	County likely to prevail on all issues.
2 ASA	<ol style="list-style-type: none"> <li>1. Health Division approval</li> <li>2. Appeals (restraining order?)</li> <li>3. Issue RFC/RFPs</li> <li>4. Award bids</li> <li>5. Sign contracts</li> </ol>	<ol style="list-style-type: none"> <li>1. Does Portland Charter prohibit 2 ASA?</li> <li>2. Same as 3 - 6 above</li> </ol>	County likely to prevail on all issues.
Public Provider	<ol style="list-style-type: none"> <li>1. BCC adopts public provider plan</li> <li>2. Health Division approval</li> <li>3. Circuit Court?</li> <li>4. Appeals (restraining order?)</li> <li>5. Implementation by County</li> </ol>	<ol style="list-style-type: none"> <li>1. Same as 1, 3 - 6 above</li> </ol>	County likely to prevail on all issues.
Rate Regulation	<ol style="list-style-type: none"> <li>1. BCC adopts rate regulation plan</li> <li>2. Health Division approval</li> <li>3. Circuit court?</li> <li>4. Appeals (restraining order?)</li> <li>5. Implementation (periodic rate-making/appeals).</li> </ol>	<ol style="list-style-type: none"> <li>1. Does Portland Charter prohibit 4 ASA?</li> <li>2. Same as 3 - 6 above</li> </ol>	County likely to prevail on all issues.