

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

Tuesday, August 20, 2002 - 9:30 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

BOARD BRIEFINGS

Chair Diane Linn convened the meeting at 9:36 a.m., with Vice-Chair Lonnie Roberts and Commissioners Serena Cruz and Maria Rojo de Steffey present, and Commissioner Lisa Naito participating via speakerphone.

B-1 Metro Briefing on Proposed Plan on Urban Growth Boundary Expansion in Oregon. Presented by Mike Burton and Andy Cotugno.

METRO EXECUTIVE OFFICER MIKE BURTON WITH PRINCIPAL REGIONAL PLANNER LYDIA NEILL, PRESENTATION OF THE PROPOSED URBAN GROWTH BOUNDARY EXPANSION WITHIN MULTNOMAH COUNTY AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION ON ISSUES INCLUDING GREEN BUFFERS BETWEEN CITIES; TIMELINE FOR SEPTEMBER TOURS OF THE PROPOSED EAST AND WEST SIDE BOUNDARY CHANGES; OCTOBER COUNCIL MEETINGS; DECEMBER FINAL DECISION; GOAL 5 FACTORS; OREGON LAND CONSERVATION AND DEVELOPMENT COMMISSION RULING ISSUED IN OCTOBER; PUBLIC HEARINGS; MAP ADJUSTMENTS; EAST COUNTY EXCEPTION LANDS; AND THE NEED FOR STRATEGIC PLANS TO ASSESS ECONOMIC DEVELOPMENT AND TO ADDRESS AFFORDABLE HOUSING. CHAIR LINN AND COMMISSIONER NAITO THANKED METRO AND COUNTY LAND USE PLANNING STAFF.

B-2 Multnomah County Citizen Involvement Committee Update. Presented by Jim Davis.

CITIZEN INVOLVEMENT COMMITTEE CHAIR JIM DAVIS, WITH MIOU CHRIST, KEN RAY AND KATHLEEN TODD, PRESENTATION AND RESPONSE TO BOARD QUESTIONS. BOARD COMMENTS IN ACKNOWLEDGEMENT AND APPRECIATION FOR THE VOLUNTEER WORK OF THE CITIZEN INVOLVEMENT COMMITTEE, THE CITIZEN BUDGET ADVISORY COMMITTEES AND FOR CITIZEN INVOLVEMENT COMMITTEE STAFF KATHLEEN TODD.

B-3 PGE/Enron Current Status and Possibilities - Briefing and Board Discussion. Presented by Chair Diane Linn and Invited Others.

AT CHAIR LINN'S DIRECTION, DUKE SHEPARD EXPLAINED THE BRIEFING WILL CONSIST OF A 15 MINUTE PRESENTATION FROM REPRESENTATIVES OF

PORTLAND GENERAL ELECTRIC AND A 45 MINUTE PRESENTATION FROM REPRESENTATIVES OF WILLAMETTE VALLEY POWER, WITH 30 MINUTES .I F NEEDED FOR BOARD QUESTIONS AND DISCUSSION.

FRED MILLER, EXECUTIVE VICE-PRESIDENT OF PORTLAND GENERAL ELECTRIC, PRESENTATION, INCLUDING STATUS OF PORTLAND GENERAL ELECTRIC SINCE ENRON PURCHASE FIVE YEARS AGO AND THE HISTORY OF POTENTIAL SALES DURING THAT TIME; POTENTIAL OPCO ALTERNATIVE; ENRON PRESS RELEASE OUT OF HOUSTON ANTICIPATING SALE OR SOME OTHER ACTIVITY BY OCTOBER; AND THE POTENTIAL SALE OF PORTLAND GENERAL ELECTRIC TO OTHER ENTITIES INCLUDING NORTHWEST NATURAL GAS, WILLAMETTE VALLEY POWER, OR THE CITY OF PORTLAND. IN RESPONSE TO QUESTIONS OF COMMISSIONERS NAITO AND CRUZ, MR. MILLER ADVISED THAT PORTLAND GENERAL ELECTRIC EMPLOYEES ARE FINE WITH OTHER OWNERSHIP, THAT THEIR

MISSION IS TO KEEP THE ASSET VALUABLE, AND THAT THEY OPPOSE CONDEMNATION AS A MEANS TO ACQUIRE THE ASSET.

WILLAMETTE VALLEY POWER CONCEPT PROPONENT PRESENTERS JEFFREY BISSONNETTE, ORGANIZING DIRECTOR OF THE CITIZENS' UTILITY BOARD OF OREGON; KEN CANON, EXECUTIVE DIRECTOR OF INDUSTRIAL CUSTOMERS OF NORTHWEST UTILITIES; JASON EISDORFER, OF THE CITIZENS' UTILITY BOARD OF OREGON; ATTORNEY RECE BLY OF MILLER NASH, LLP; JEFFREY BROWN, VICE-PRESIDENT, GOLDMAN SACHS MUNICIPAL FINANCE DEPARTMENT, A SEATTLE INVESTMENT FIRM; RONALD NICHOLS, SENIOR MANAGING DIRECTOR, ENERGY AND WATER, FOR NAVIGANT CONSULTING, INC., A CALIFORNIA COMPANY; AND ATTORNEY KEVIN PADRICK OF K2 ENTERPRISES, LLC. PRESENTATIONS AND RESPONSE TO BOARD QUESTIONS ON ISSUES INCLUDING DESCRIPTION OF WILLAMETTE VALLEY POWER; WHY THEY SHOULD BE THE ONE TO PURCHASE PORTLAND GENERAL ELECTRIC AND BECOME THE REGION'S LOCALLY CONTROLLED ELECTRIC UTILITY; HOW THEY WOULD OPERATE; RATE RELIEF FOR CUSTOMERS; PORTLAND GENERAL ELECTRIC EMPLOYEES WOULD REMAIN EMPLOYED BY PRIVATE SECTOR COMPANIES THAT ENTER INTO LONG-TERM MANAGEMENT CONTRACTS WITH WILLAMETTE VALLEY POWER; ADVANTAGES OF PUBLIC PRIVATE PARTNERSHIP; THE ENRON BANKRUPTCY COURT PROCEDURE; AUCTION PROCESS; THE NEED FOR AT LEAST TWO OF THE SIX COUNTIES WITHIN PORTLAND GENERAL ELECTRIC SERVICE AREA TO BE IN AGREEMENT; REQUEST THAT AN INDEPENDENT ANALYSIS BE DONE ON THE PROPOSAL THAT PORTLAND GENERAL ELECTRIC COULD BECOME PART OF A COMPANY CALLED OPCO, CREATED FROM ASSETS OF THE FORMER ENRON; WILLAMETTE VALLEY POWER HAS NO INTEREST IN CONDEMNATION AND WANTS TO GET AS CLOSE TO SIX OF THE COUNTIES WITHIN PORTLAND GENERAL ELECTRIC SERVICE AREA AS POSSIBLE TO BE IN AGREEMENT; THE

WILLAMETTE VALLEY POWER CONCEPT PROJECT CAN WORK WELL WITH OR WITHOUT THE CITY OF PORTLAND; FEASIBILITY OF THE FINANCING REQUIRED FOR ACQUISITION OF PORTLAND GENERAL ELECTRIC ASSETS; COUNTIES CAN GENERALLY PUT TOGETHER ENOUGH FUNDING WITHOUT PROBLEMS; FUNDING PROCESSES WORK WELL WITH PUBLIC POWER ENTITIES; PUBLIC/PRIVATE TRANSACTIONS WITH MANAGEMENT CONTRACTS ARE NORMAL; PRELIMINARY ESTIMATE ANALYSIS EVALUATION ON ACQUISITION OF ALL OF PORTLAND GENERAL ELECTRIC ASSETS, TAXES, FEES, CUSTOMERS, AND EMPLOYEES BASED ON PUBLICALLY AVAILABLE INFORMATION; OPERATION OF THE PROPOSED NON-PROFIT PUBLIC UTILITY WOULD BE HANDLED VIA LONG-TERM MANAGEMENT CONTRACTS WITH PRIVATE SECTOR COMPANIES CITIES CURRENTLY RECEIVING FRANCHISE FEES WOULD CONTINUE TO RECEIVE SUCH FEES AND FRANCHISE FEES WOULD BE PAID TO COUNTIES FOR THE UNINCORPORATED AREAS NOT CURRENTLY RECEIVING FRANCHISE FEES; SUMMARY OF BANKRUPTCY ISSUE AND AUCTION PROCESS TO SELL PORTLAND GENERAL ELECTRIC; OPCO RETENTION OPTION JUST DELAYS SALE; PROBABLE SIX MONTH TIMELINE, WITH INDICITIVE BIDS DUE OCTOBER 15, 2002; FORMAL DUE DILIGENCE AND FINAL BIDS BY THANKSGIVING; HIGH BID BY CHRISTMAS; BANKRUPTCY COURT FOR COMPLETION BY FEBRUARY; WILLAMETTE VALLEY POWER WOULD HAVE TO HAVE AN INTERGOVERNMENTAL AGREEMENT WITH COUNTIES BY OCTOBER 15, 2002 AND FORMATION OF THE PUBLIC ENTITY UNDER ORS CHAPTER 190 WOULD HAVE TO OCCUR BY THANKSGIVING; WILLAMETTE VALLEY POWER PROPONENTS WILL NOT ASK COUNTIES FOR MONEY, SIMPLY GET TOGETHER AND ENTER INTO AN INTERGOVERNMENTAL AGREEMENT; WILLAMETTE VALLEY POWER WANTS MULTNOMAH COUNTY TO TAKE A LEADERSHIP ROLE, GET A \$100,000 FEASIBILITY STUDY DONE, NOT AT THE COUNTY'S EXPENSE; AND TO GET A CHARTER UNDERWAY.

COMMISSIONER NAITO STATED THAT THIS IS AN INCREDIBLE OPPORTUNITY; THAT SHE WILL LOOK INTO CREATION OF A NEW ENTITY BALANCED ON THE POINT OF VIEW OF THE EMPLOYEES, COMMUNITY, AND THE ECONOMIC INCENTIVES. COMMISSIONER ROBERTS STATED THAT DUE TO DIFFERENT PHILOSOPHIES, HE WOULD WANT MULTNOMAH COUNTY TO TAKE THE LEAD RATHER THAN THE CITY OF PORTLAND. COMMISSIONER CRUZ STATED THAT SHE WOULD PURSUE ASKING QUESTIONS AND LOOKING INTO THE OPPORTUNITIES AND CHALLENGES OF THESE COMPLEX ISSUES. CHAIR LINN THANKED ALL THE PRESENTERS FOR THEIR PARTICIPATION; AND STATED THAT HER SUPPORT FOR AN ACCEPTABLE NEW PORTLAND GENERAL ELECTRIC OWNER, PUBLIC OR PRIVATE, WOULD NEED TO INCLUDE ASSURANCES OF A GREATER LONGTERM RATE CERTAINTY; AN INVESTMENT IN THE HEALTH AND FUTURE OF THIS COMMUNITY; AND A DEMONSTRATABLE COMMITMENT TO THE EMPLOYEES WHO MAKE PORTLAND GENERAL ELECTRIC WHAT IT IS AND WHO HAVE SUFFERED THE BRUNT OF ENRON'S DOWNFALL. CHAIR LINN ADVISED THE PARTICIPANTS TO SEND ALL INFORMATION THROUGH DUKE SHEPARD OF HER STAFF.

ADJOURNMENT

There being no further business, the meeting was adjourned at 12:03 p. m.

Thursday, August 22, 2002 - 9:30 AM

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

REGULAR MEETING

Chair Diane Linn convened the meeting at 9:30 a.m., with Vice-Chair Lonnie Roberts and Commissioners Serena Cruz and Maria Rojo de Steffey present, and Commissioner Lisa Naito participating via speakerphone.

CONSENT CALENDAR

AT THE REQUEST OF CHAIR LINN AND UPON MOTION OF COMMISSIONER CRUZ, SECONDED BY COMMISSIONER NAITO, CONSENT CALENDAR ITEMS C-1 AND C-2 WERE UNANIMOUSLY APPROVED.

DEPARTMENT OF COUNTY HUMAN SERVICES

- C-1 Intergovernmental Revenue Agreement 1310337 with the State of Oregon, Department of Human Services, Providing Funding to Support Creation of the Children's Receiving Center During Fiscal Year 2002-2003
- C-2 Intergovernmental Revenue Agreement 1310334 with the State of Oregon, Department of Human Services, Providing Funding to Support Creation and Operation of the Children's Receiving Center for Physical and Mental Health Assessments and Short Term Emergency Shelter to Children Referred by the Department

DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES

- C-3 Renewal of Intergovernmental Agreement 4600003006 with Tri-Met for the PassPort Employee Bus Pass Program

COMMISSIONER NAITO MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF C-3. COMMISSIONER NAITO ADVISED THAT MANY OF HER QUESTIONS WERE ANSWERED, BUT SHE WANTED A DISCUSSION ON THE RECORD. BOARD CONSENSUS TO TABLE C-3 UNTIL STAFF PRESENT IN THE BOARDROOM.

REGULAR AGENDA
PUBLIC COMMENT

Public Comment was made and received for the record.

DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES

R-1 RESOLUTION Adopting Multnomah County Investment Policy for Fiscal Year 2002-2003

COMMISSIONER CRUZ MOVED AND COMMISSIONER ROBERTS SECONDED, APPROVAL OF R-1. HARRY MORTON EXPLANATION. RESOLUTION 02-116 UNANIMOUSLY ADOPTED.

R-2 Lease of Retail Space at North Portland Clinic Building, 9000 North Lombard Street, to Subway Real Estate Corporation for Operation as a Subway Restaurant

COMMISSIONER NAITO MOVED AND COMMISSIONER CRUZ SECONDED, APPROVAL OF C-3. COMMISSIONER NAITO ADVISED THAT MANY OF HER QUESTIONS WERE ANSWERED, BUT SHE WANTED A DISCUSSION ON THE RECORD. BOARD CONSENSUS TO TABLE C-3 UNTIL STAFF PRESENT IN THE BOARDROOM. BOARD UNANIMOUSLY APPROVED TO REMOVE FROM TABLE AND RESUME CONSIDERATION OF C-3. GAIL PARNELL, AMY JOSLIN AND CATHY O'BRIEN EXPLANATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION ON ISSUES INCLUDING TRI-MET CONTRACT; RESULTS OF SURVEY COMPLETED BY 4,000 COUNTY EMPLOYEES; NUMBER OF EMPLOYEES (3,968) WHO PARTICIPATE IN BUS PASS PROGRAM; AND THE COUNTY'S GREEN TEAM EFFORTS TO PROMOTE USE OF THE BUS IN LIEU OF DRIVING ALONE. COMMISSIONER NAITO AND CHAIR LINN COMMENTS IN APPRECIATION OF STAFF. COMMISSIONER ROBERTS COMMENTS IN SUPPORT OF COUNTY EMPLOYEES PARTICIPATING IN THE BUS PASS PROGRAM ACTUALLY USING THEIR PASSES. AGREEMENT UNANIMOUSLY ADOPTED.

DEPARTMENT OF HEALTH

R-3 First Reading of an ORDINANCE Amending Multnomah County Code Chapters 21.150, 21.152, 21.605 and 21.612 Relating to Swimming Pool and Food Service Licenses and Fees

ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER CRUZ MOVED AND COMMISSIONER ROBERTS SECONDED, APPROVAL OF FIRST READING. ENVIRONMENTAL HEALTH INSPECTIONS MANAGER LILA WICKHAM INTRODUCED RUTH LINDSAY-JONES OF THE FOOD SERVICES ADVISORY COMMITTEE. LILA WICKHAM AND ATTORNEY TOM SPONSLER EXPLANATION AND RESPONSE TO BOARD QUESTIONS REGARDING FEES, ADVISING THE

PROPOSED RESOLUTION IS ON THE BOARD AGENDA FOR THURSDAY, AUGUST 29, 2002. NO ONE WISHED TO TESTIFY. FIRST READING UNANIMOUSLY APPROVED. SECOND READING THURSDAY, AUGUST 29, 2002.

R-4 NOTICE OF INTENT to Apply for Grant Funding through the U.S. Public Health Service to Establish a local Medical Reserve Corps

COMMISSIONER CRUZ MOVED AND COMMISSIONER NAITO SECONDED, APPROVAL OF R-4. HEALTH OFFICER DR. GARY OXMAN AND SCOTT SALMON OF COUNTY EMERGENCY MANAGEMENT EXPLANATION AND RESPONSE TO BOARD QUESTIONS, SUGGESTIONS AND COMMENTS IN APPRECIATION DR. OXMAN ADVISED HE WILL NOTIFY THE OREGON NURSE'S ASSOCIATION, MEDICAL CARE PROVIDERS AND UNIONS, MENTAL HEALTH CARE PROVIDERS AND OTHER ENTITIES, AND THAT HE PLANS TO INCLUDE THEM IN CASE OF EMERGENCIES. NOTICE OF INTENT UNANIMOUSLY APPROVED.

DEPARTMENT OF COMMUNITY JUSTICE

R-5 Second Reading and Possible Adoption of a Proposed ORDINANCE Amending Multnomah County Code Chapter 15.601 Definition of Law Enforcement Officer to Include Parole and Probation Officers for Purposes of Conducting Personal Property Inventories Related to the Supervision of an Offender on Parole or Probation

ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER CRUZ MOVED AND COMMISSIONER ROBERTS SECONDED, APPROVAL OF SECOND READING AND ADOPTION COUNTY ATTORNEY TOM SPONSLER EXPLANATION AND RESPONSE TO A QUESTION OF COMMISSIONER ROJO, ADVISING THAT PAROLE AND PROBATION OFFICERS ARE REQUIRED TO HAVE TRAINING. NO ONE WISHED TO TESTIFY. ORDINANCE 988 UNANIMOUSLY ADOPTED.

NON-DEPARTMENTAL

R-6 RESOLUTION Correcting Resolution 02-109 Submitting to the Voters a Five-Year Rate Based Local Option Levy to Continue Library Services

COMMISSIONER CRUZ MOVED AND COMMISSIONER ROBERTS SECONDED, APPROVAL OF R-6. COUNTY ATTORNEY TOM SPONSLER EXPLANATION RESOLUTION 02-117 UNANIMOUSLY ADOPTED. CHAIR LINN ACKNOWLEDGED AND GREETED LIBRARY DIRECTOR GINNIE COOPER. MS. COOPER PROVIDED COPIES OF A ONE PAGE FACT SHEET FOR THE BOARD AND OTHERS TO GIVE OUT TO FOLKS.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:19 a.m.

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